

**Region of Queens Municipality Regular Council
Tuesday, September 13, 2022**

9:00 a.m.

Agenda

1.0 Call to Order

2.0 Changes / Approval of Agenda

3.0 Presentation

- 3.1 Queens Historical Society – Lost at Sea Memorial
- 3.2 South Shore Public Libraries

4.0 Tabling of Petitions

5.0 Public Question / Comment Session

6.0 Approval of Minutes

- 6.1 Regular Council – August 9, 2022

7.0 Recommendations

- 7.1 Road Naming – Cahoon Lane
- 7.2 Fees for Planning Services
- 7.3 Pool Committee
- 7.4 Human Resources Policy Employee Handbook
- 7.5 Automobile Repair Shop by Development Agreement – 16 Edward Street, Milton
- 7.6 Rezoning – Highway 8 in Milton

8.0 Discussions

- 8.1 Cost Sharing of J Class Roads – 2023-2024 Fiscal Year
- 8.2 Policy 95 – Maintenance of Trees
- 8.3 Council Implementation Report
- 8.4 Region-owned Land – Councillor Fancy

9.0 In-Camera Items

- 9.1 Contract Negotiations
- 9.2 Contract Negotiations
- 9.3 Sale of Municipal Property
- 9.4 Personnel

10.0 Adjournment



Queens County Historical Society
Lost at Sea Committee

**A Presentation to
Mayor Darlene Norman and the
Region of Queens Municipal Council**

September 13, 2022

A teal fishing boat is shown on the ocean, moving towards the viewer. The boat has a white cabin and a red buoy on its side. The name "White and Green" is visible on the side of the boat. The sky is a soft, hazy blue, and several seagulls are flying around the boat. The water is a light blue-grey color.

Queens County Historical Society
Lost at Sea Committee

David Dagley

Chair, Lost at Sea Committee
Primary Researcher

Dave Freeman

President, Queens County Historical Society

Owen Hamlin

Chair, Board of Trustees
Queens County Museum

Lesley Scott

Vice-Chair, Board of Trustees
Queens County Museum
Digital Information Support

Don Smith

Member, Board of Trustees
Queens County Museum
Project Planner, Designer

Linda Rafuse

Executive Director
Queens County Museum



Queens County Historical Society
Lost at Sea Monument

Terms of Reference

Criteria for a formal Terms of Reference were developed in 2011.
This were further updated in 2022

1) Names to be included in database

- Sailors and Fishermen associated with vessels lost at sea
- Vessel-related deaths while at dockside
- Queens County residents lost as vessel passengers
- Members of Canada's Armed Forces lost on active service
- Fresh-water deaths and deaths at place of residence excluded



Queens County Historical Society
Lost at Sea Monument

2) Residents of Queens County

- Those born in Queens County
- Those who moved to Queens County and became residents
- Those lost at sea while away working during periods of employment
- Privateer Crew Members from Queens County
- Residents lost at sea in foreign ports due to illness
- Members of all armed forces lost at sea while on active duty

3) Project will cover period 1759 to present

4) Interpretive Panel with QR Code

A large interpretive panel containing a QR code will be situated in front of the monument. This will allow visitors to access the Lost at Sea database which will contain the accepted names.

Queens County Historical Society
Lost at Sea Monument

5) The Lost at Sea Database

Depending on availability of information, the Lost at Sea database will include, in alphabetical order:

- name of individual
- individual's date of birth
- community of birth
- community of residence at time of death
- name of the vessel
- date lost at sea
- location of loss
- names of parents
- name of spouse
- place and date of marriage
- children



Queens County Historical Society
Lost at Sea Monument

6) Master List of Names

- Computerized master list of all names to be created
- Headings to include Accepted, Unqualified, or Not Determined
- Museum website and Facebook page will be created to assist with acquiring additional information
- This will assist in determining qualification for updated or additional information



Queens County Historical Society
Lost at Sea Monument

Project Overview

- In 2009 local researchers, staff of Queens County Museum, and members of the Queens County Historical Society agreed a proper tribute to those lost at sea was a priority;
- Summer students were tasked with researching local archival sources. A significant number of individuals were identified;
- In 2010 David Dagley was tasked with chairing the Lost at Sea Committee of the Queens County Historical Society;
- To date, approximately 1,700 names have been identified: 883 names have been accepted; 790 listed as unqualified; 25 are unknown.



Queens County Historical Society
Lost at Sea Monument

Project Overview (cont'd)

- Information was exchanged with the Port Medway Lost at Sea Remembrance Service Committee;
- Early in 2022 the Queens County Lost at Sea Committee moved towards developing a concept and to explore fabrication and installation for a bronze monument on a concrete base;
- Names of those lost at sea will not be inscribed on the monument but will be available through use of a digital QR code that will be made available on an interpretive panel to be located at the head of the monument;
- This will allow for additional information and ease of changes.



Queens County Historical Society
Lost at Sea Monument

The Recommended Site

The recommended site is Fort Point Waterfront Park

- waterfront location
- superior ocean view
- existing parkland attraction site
- high visibility
- existing support staff
- accessible with adjacent parking
- existing site interpretation
- washroom facilities
- gift shop
- existing hard-surface walkways
- picnic tables and rest seating
- shaded areas

Queens County Historical Society
Lost at Sea Monument

**Proposed site for
Lost at Sea Monument**

Fort Point Lighthouse Park

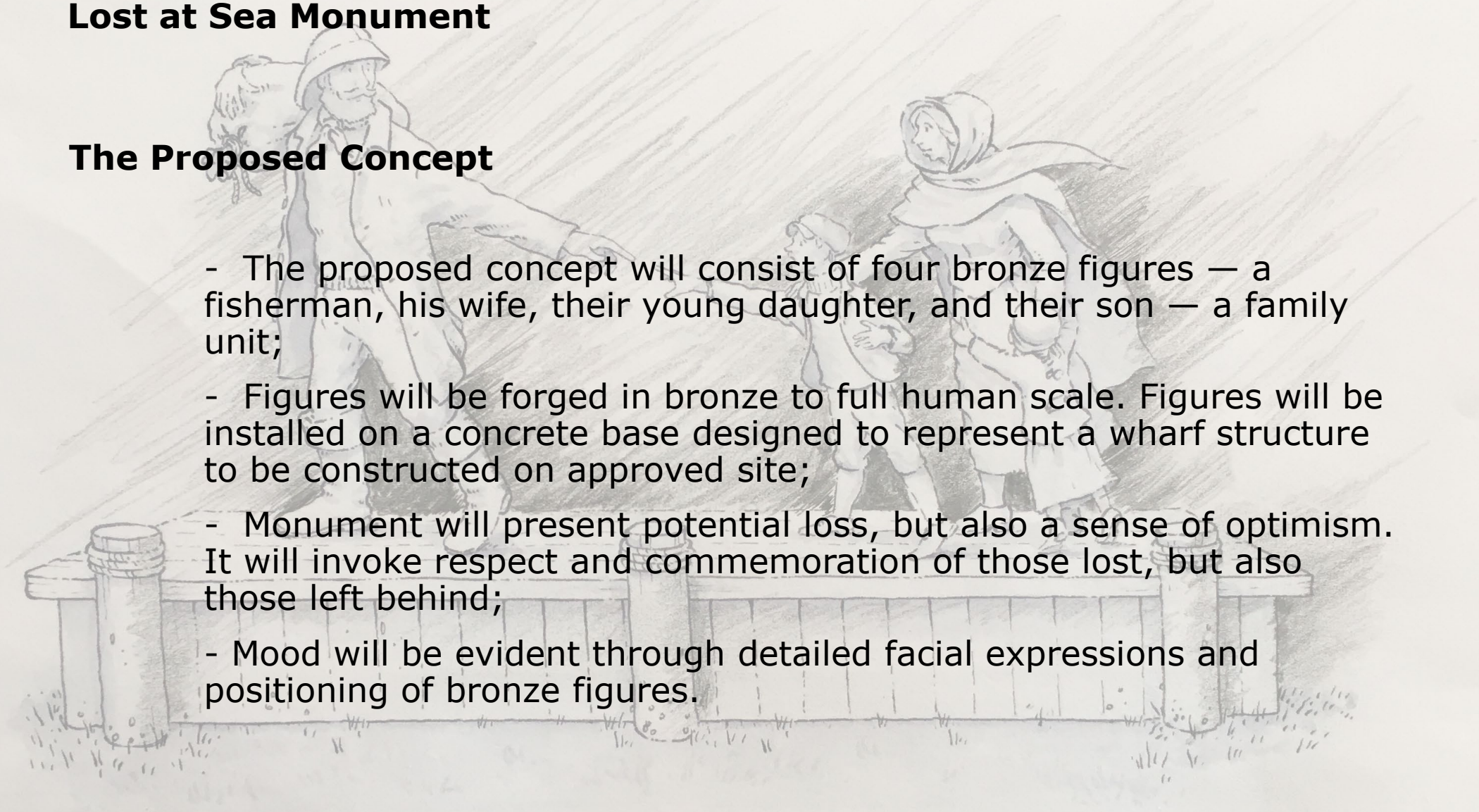


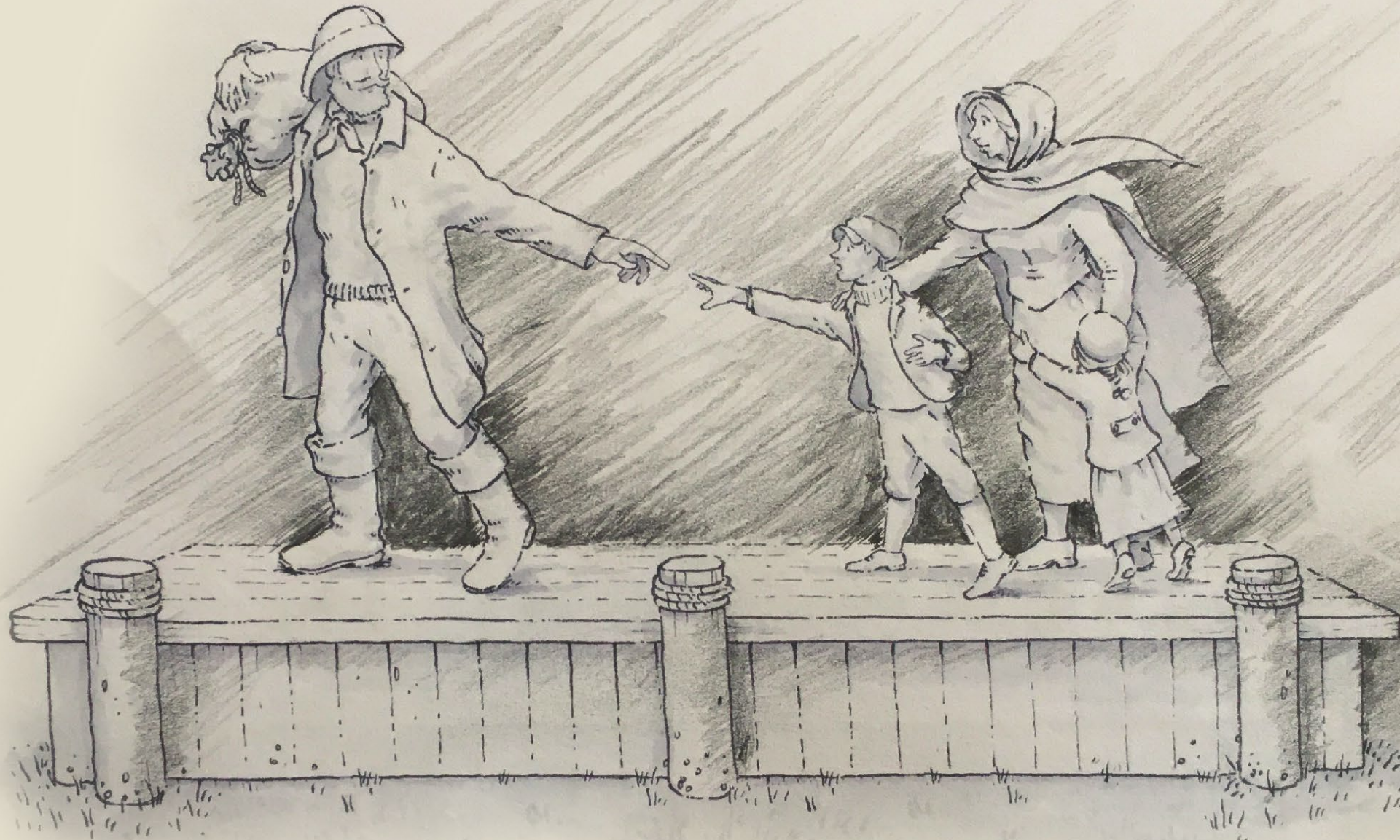
Proposed Location
Lost at Sea Memorial
Fort Point, Liverpool
Nova Scotia

Scale - 1" = 80'

Queens County Historical Society
Lost at Sea Monument

The Proposed Concept

- 
- The proposed concept will consist of four bronze figures — a fisherman, his wife, their young daughter, and their son — a family unit;
 - Figures will be forged in bronze to full human scale. Figures will be installed on a concrete base designed to represent a wharf structure to be constructed on approved site;
 - Monument will present potential loss, but also a sense of optimism. It will invoke respect and commemoration of those lost, but also those left behind;
 - Mood will be evident through detailed facial expressions and positioning of bronze figures.



Proposed Concept: Lost at Sea Memorial

For discussion and planning purposes only

Not for production

Concept Development: L. Davis, D. G. Smith







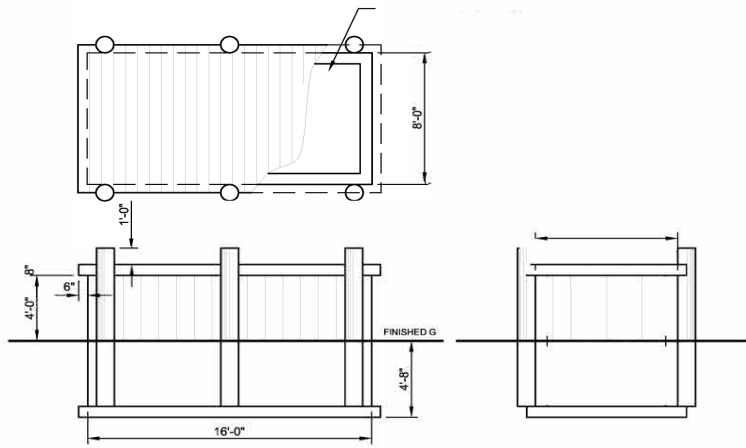


Queens County Historical Society

Lost at Sea Monument

Proposed Base Fabrication

- Width of foundation base: 96" (8' 0")
- Length of foundation base: 192" (16' 0")
- Height of foundation base: 96" (8' 0")
- The foundation base will have 48" (4' 0") above grade, with 48" (4' 0") below grade to frost level;
- 8" Reinforced concrete top slab poured on rough-sawn formwork;
- 8" Thick concrete "box" foundation, rough-sawn forms as required;
- 12" diameter concrete piles poured;
- Site location excavated, gravel bed placed, and 24" wide concrete footing poured;
- Box foundation lifted and placed on prepared footing;
- Foundation back-filled with compacted gravel. Top slab added;
- Bronze sculpted figures installed to base;
- Hard surface to match existing walkways.
- Landscape around base of monument



SEA MEMORIAL FIG 1



Queens County Historical Society
Lost at Sea Monument

Similar projects completed by our design consultant and sculptor/fabricator

1) Canadian Merchant Navy Mariners Memorial. This monument consists of four full-scale bronze figures representing survivors from a merchant ship sunk by a German U-Boat. The raft is typical of the type carried on merchant vessels and even some Corvettes of the Royal Canadian Navy.

The client for the project was the Engineering Department, Cape Breton Regional Municipality.

The monument is located on the waterfront boardwalk in Sydney, Nova Scotia. It is listed as one of the top attractions in Sydney.





Queens County Historical Society
Lost at Sea Monument

Similar projects completed by our design consultant and sculptor/fabricator

2) The Sealers' Memorial commemorates the loss of seventy-six sealers, lost on the ice during a terrible snow storm in 1914. Unable to locate their ship and find safety, the sealers died alone, and in small clusters.

The monument represents a father and son who made the voyage together, and died together on the ice. The positioning of the bronze figures is identical to how the bodies were found on the ice, with the father trying to protect his son from the storm.

The monument is located in Elliston, Newfoundland, near the Home from the Sea Interpretive Centre.





Queens County Historical Society
Lost at Sea Monument

Conclusion

Based on available information, the required production and installation time for the proposed monument is estimated at twelve months from awarding of contract to completion of the project.

Based on similar projects a budget of approximately \$500,000.00 will be required to complete all phases of this project.

Fund-raising, including submission of grant applications, will commence upon receipt of formal approval from the Region of Queens Municipality for the proposed site at Fort Point.

A formal letter of request will be submitted to Mayor and Council regarding approval for the Fort Point site.

Thank you to Mayor Darlene Norman and Councillors for considering the proposal for the Fort Point site.



South Shore
Public Libraries
TURNING PAGES SINCE 1972

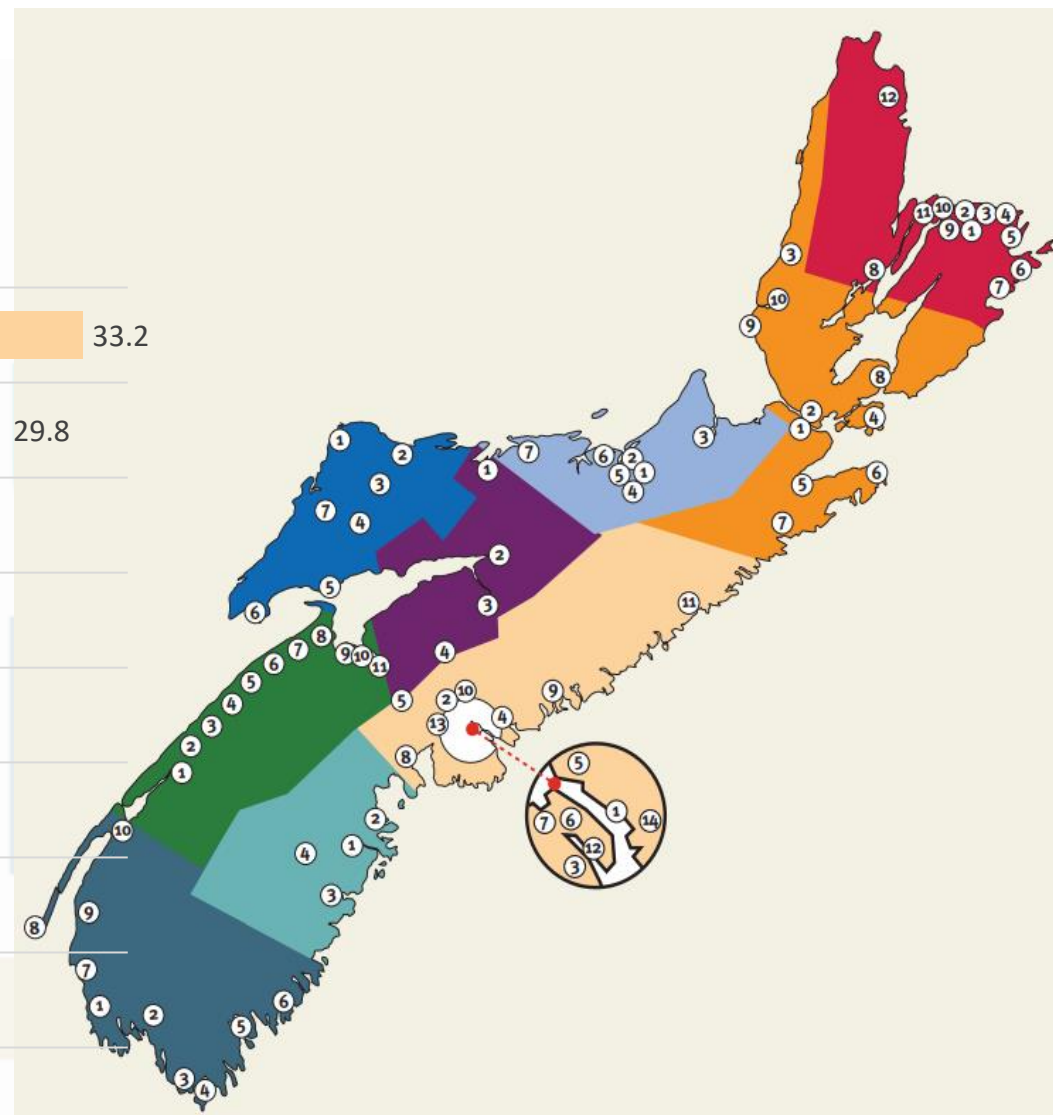
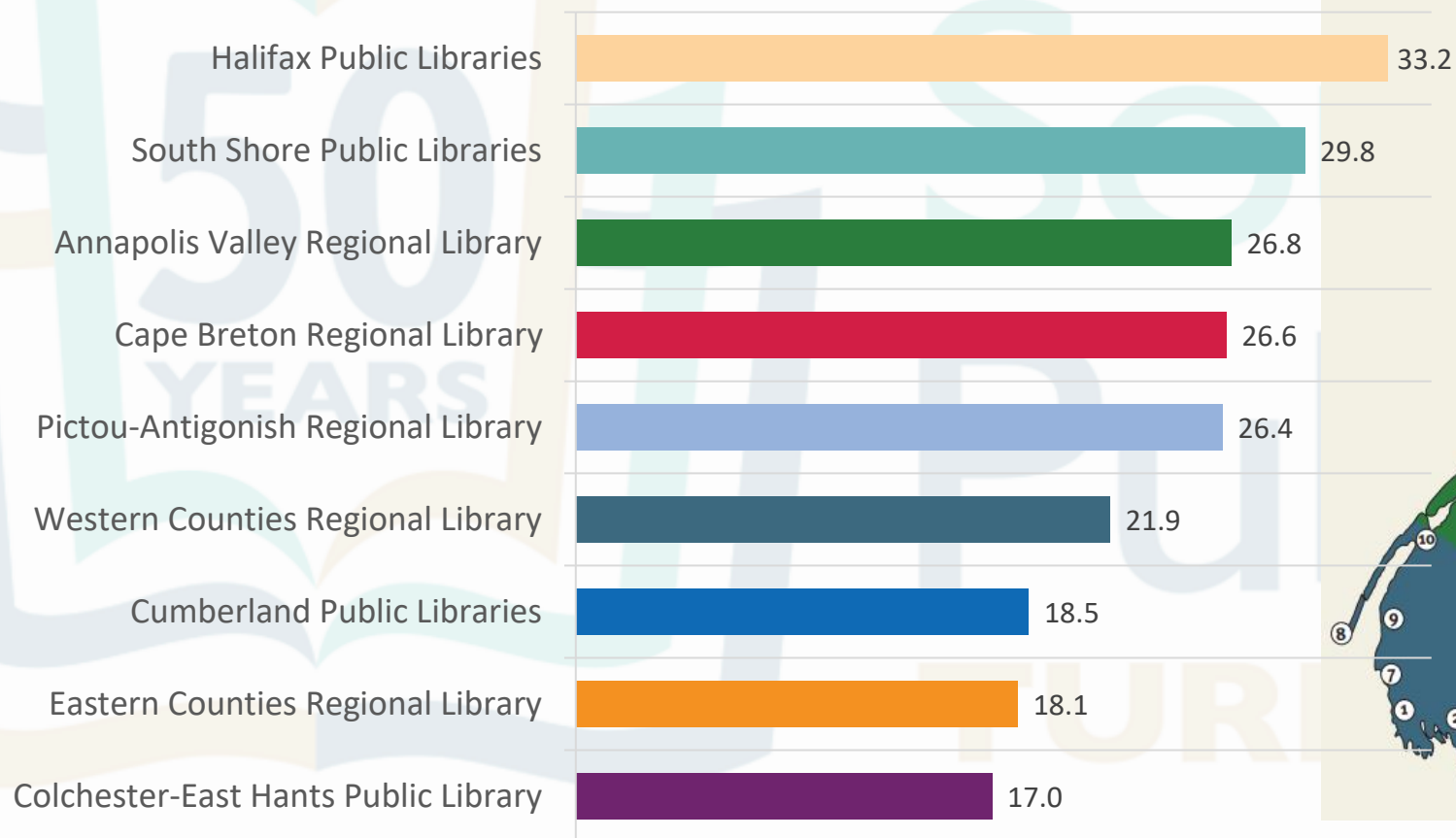
Community Highlights

Region of Queens Municipal Council
September 13, 2022

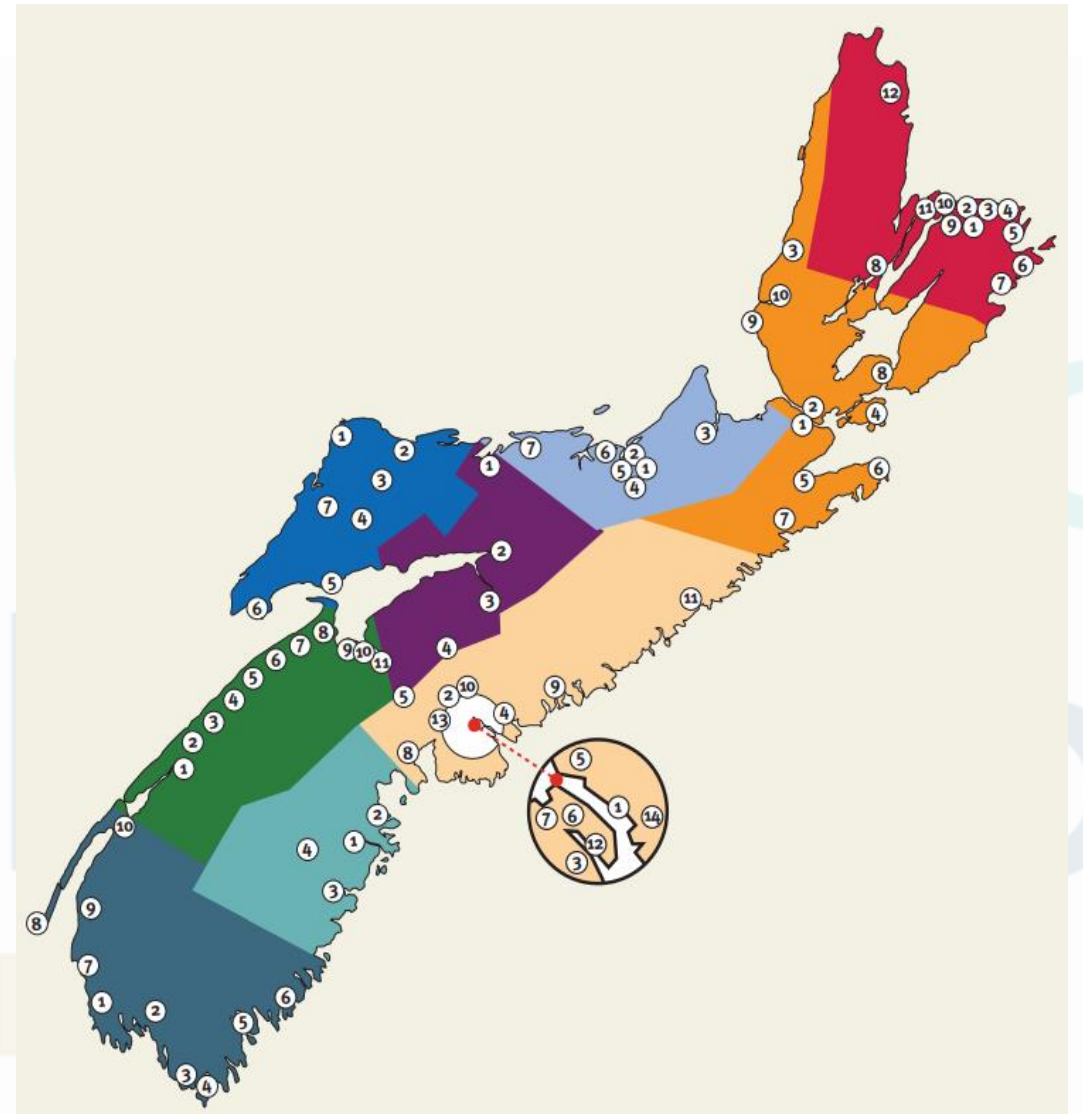
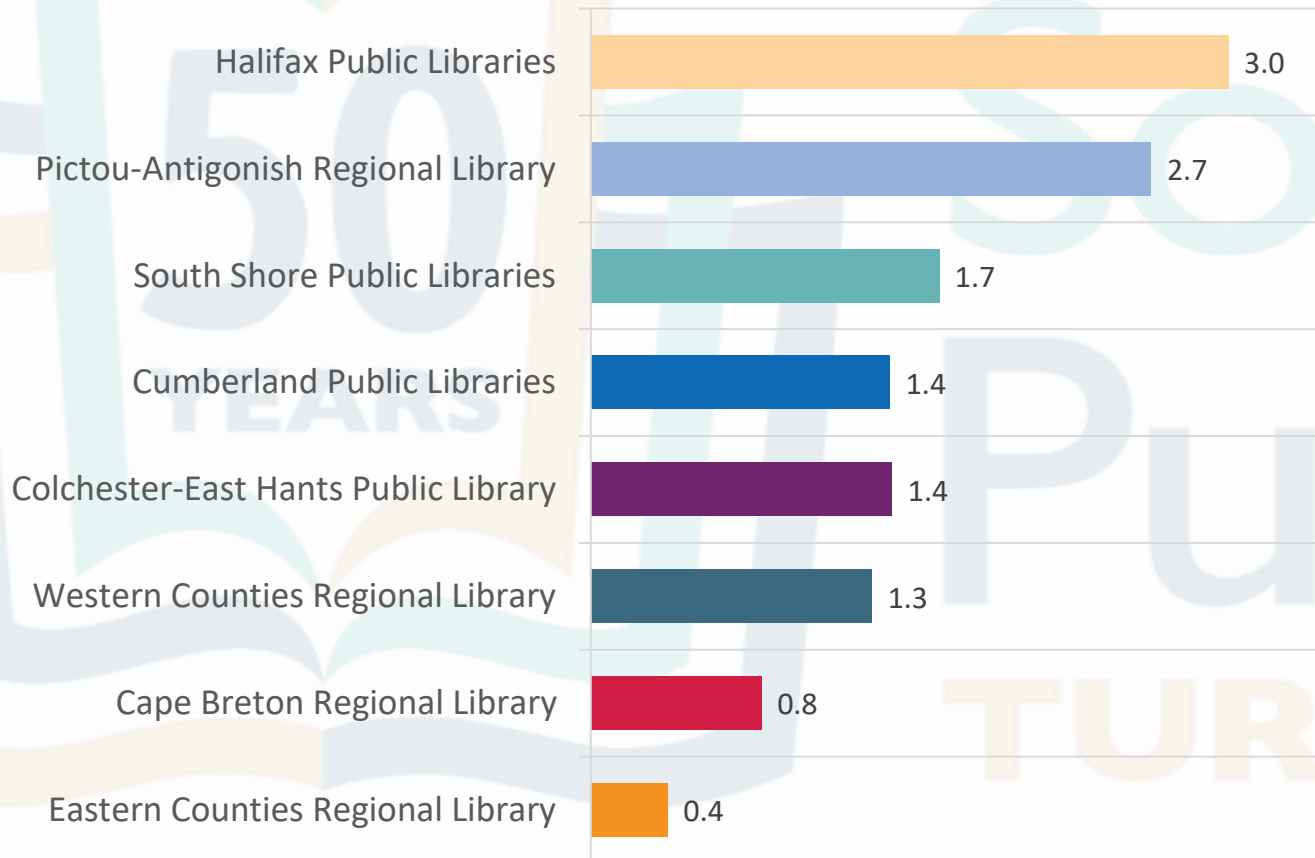
SOMETHING FOR EVERYONE



Weekly Open Hours per Location (2021-2022)



Annual In-Person Visits per Capita (2021-2022)



Supporting Family Literacy

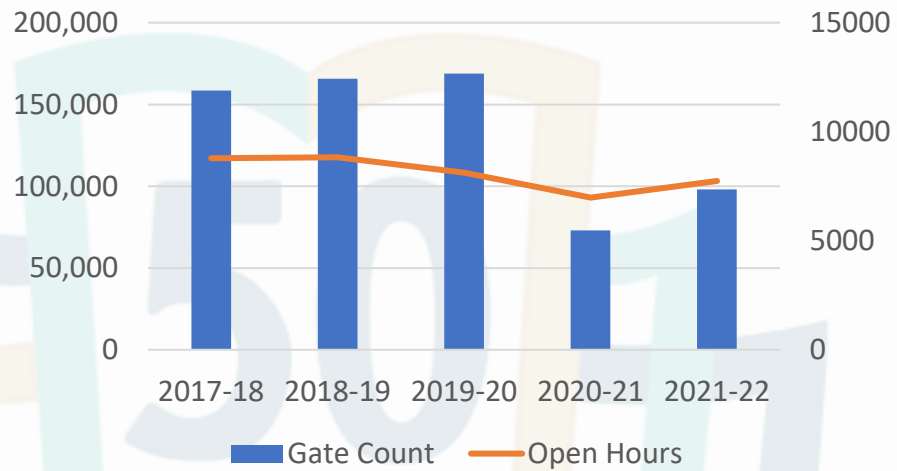
- Board books, picture books, toys and games
- Reading together as a family contributes to early literacy
- Sets kids up for success in school and beyond



Imagination & Play



Study & Work Space



- In-person visits, despite several lockdowns, remain high
- Many who study or work from home rely on the library as a quiet “third place”
- Wifi connections and computer terminal use address the digital divide

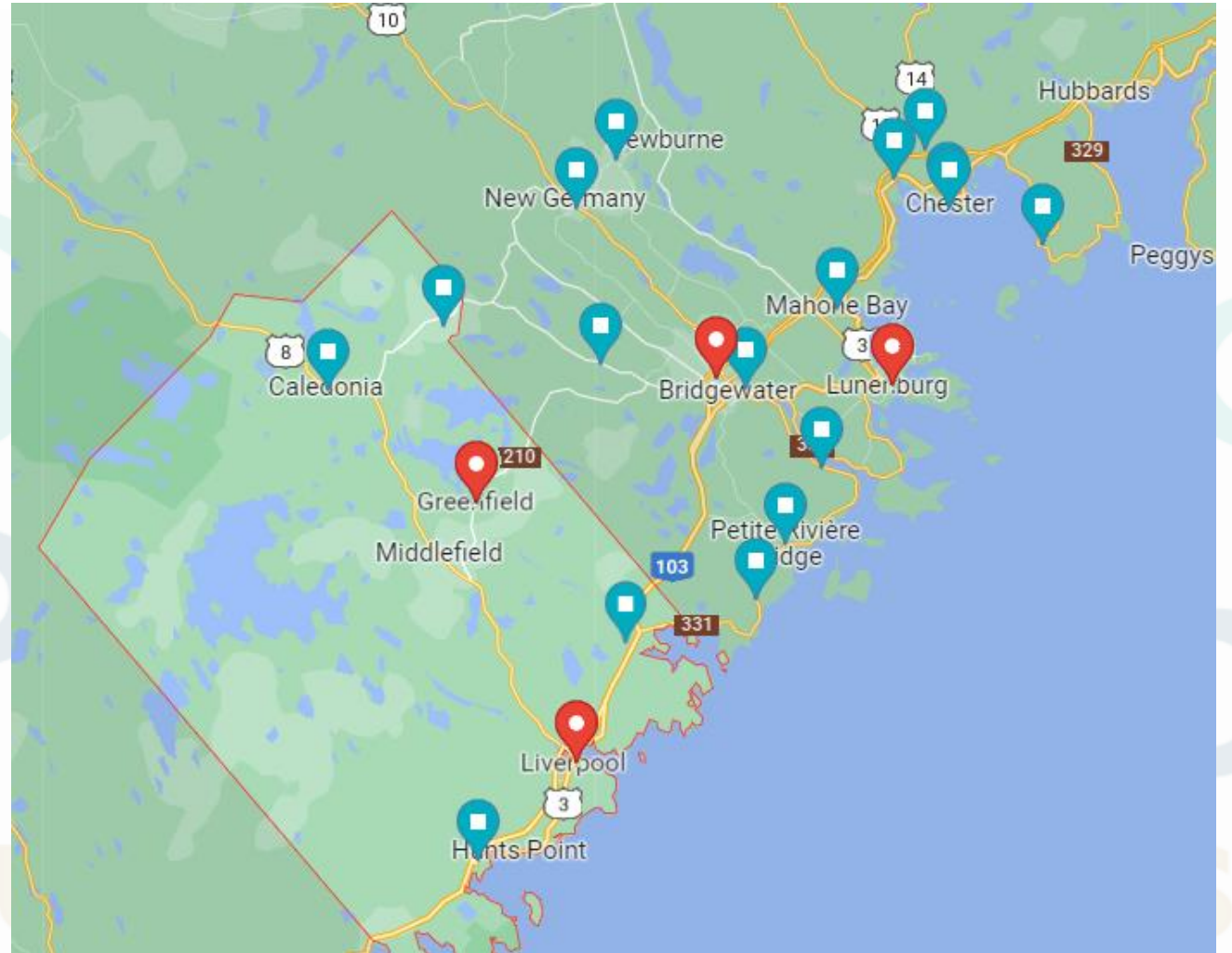


CORE AND INNOVATIVE LIBRARY SERVICE



Bookmobile

- New bookmobile launched 2021
- In-person visits and circulation remain high
- Four Queens County stops:
 - Caledonia: every Saturday 10am – 12pm
 - Pleasant River: tri-weekly Saturday 12:30-1:00
 - Mill Village: tri-weekly Friday 12:30-1:30
 - Port Mouton: tri-weekly Friday 2:00-3:30

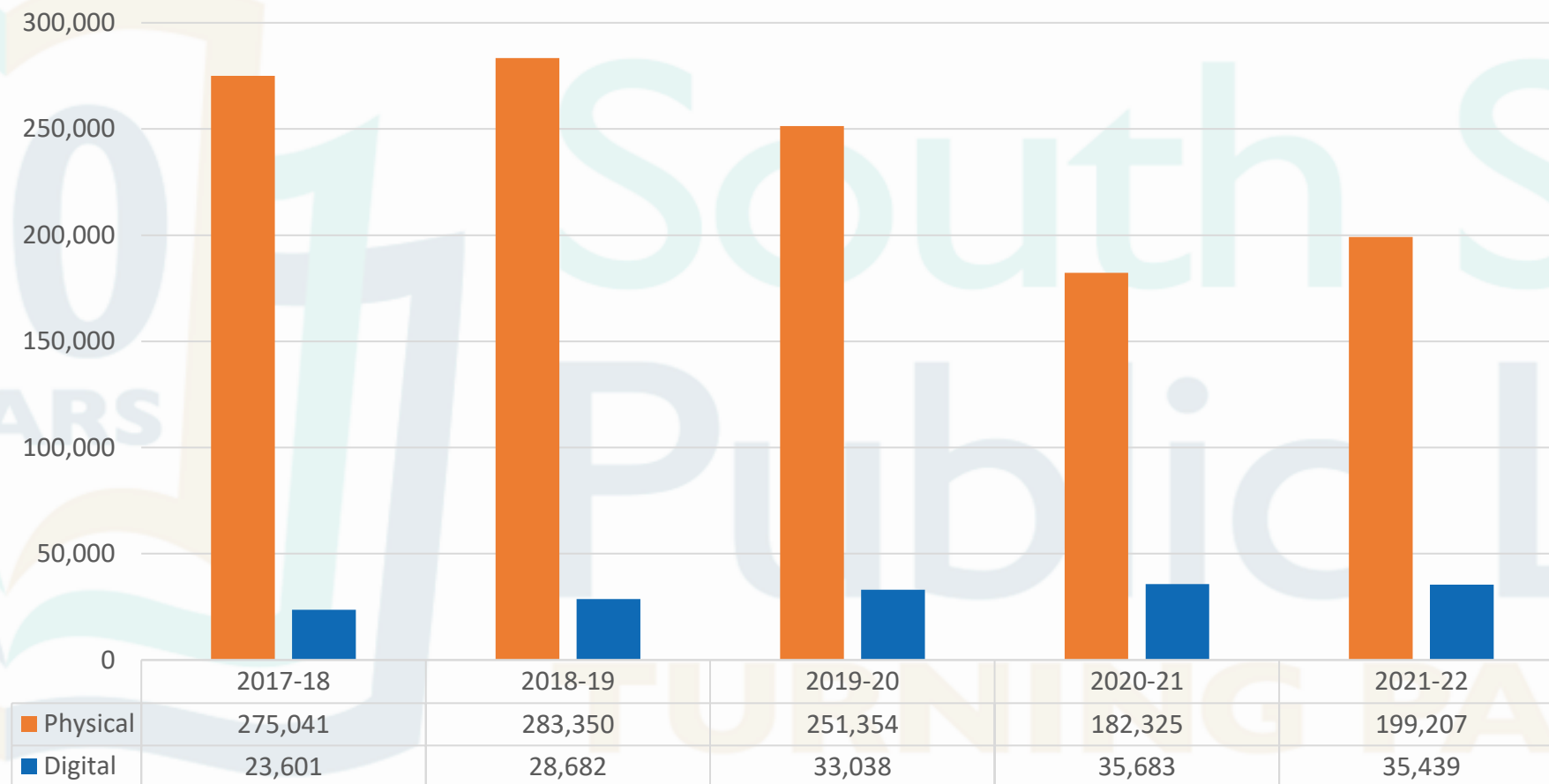


Same Page

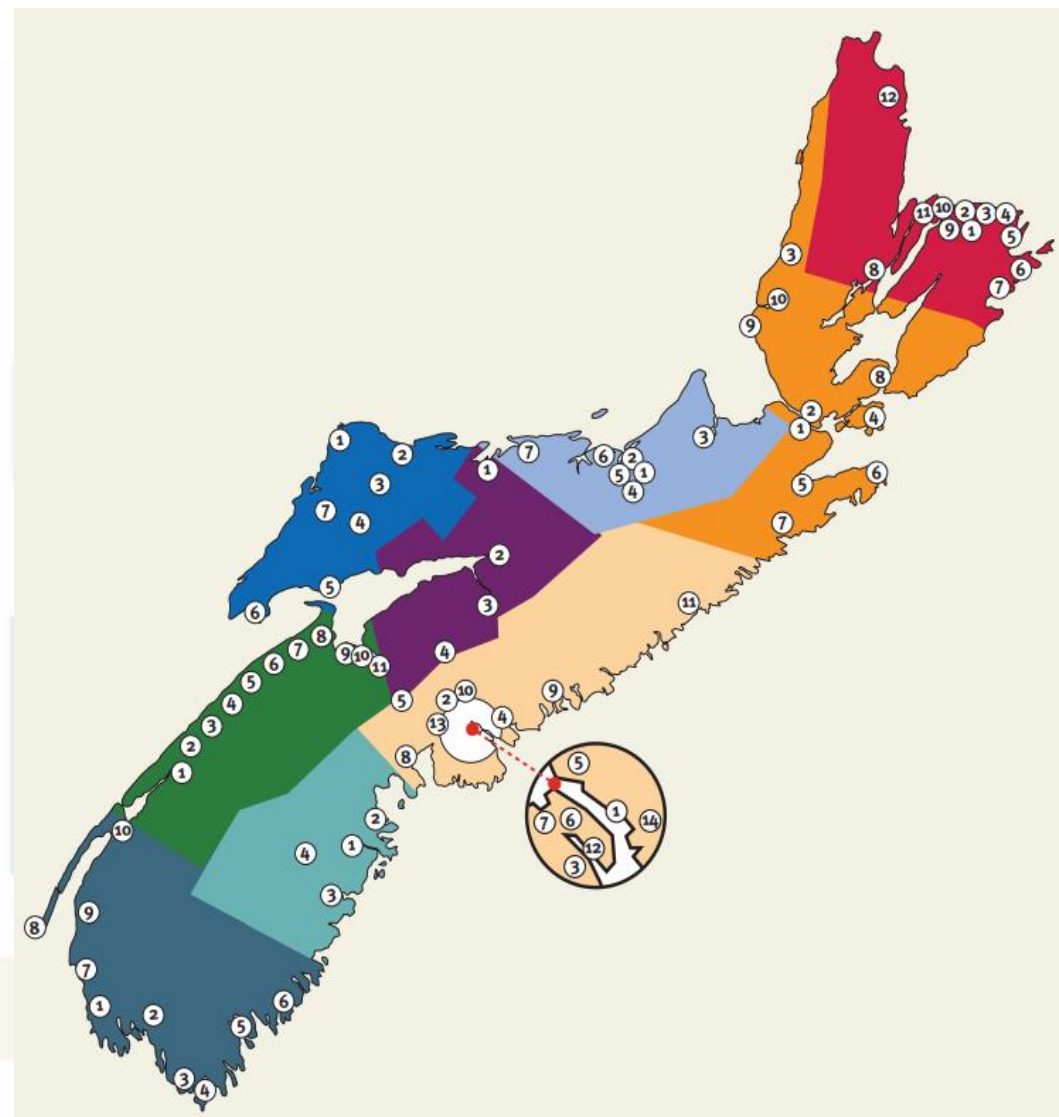
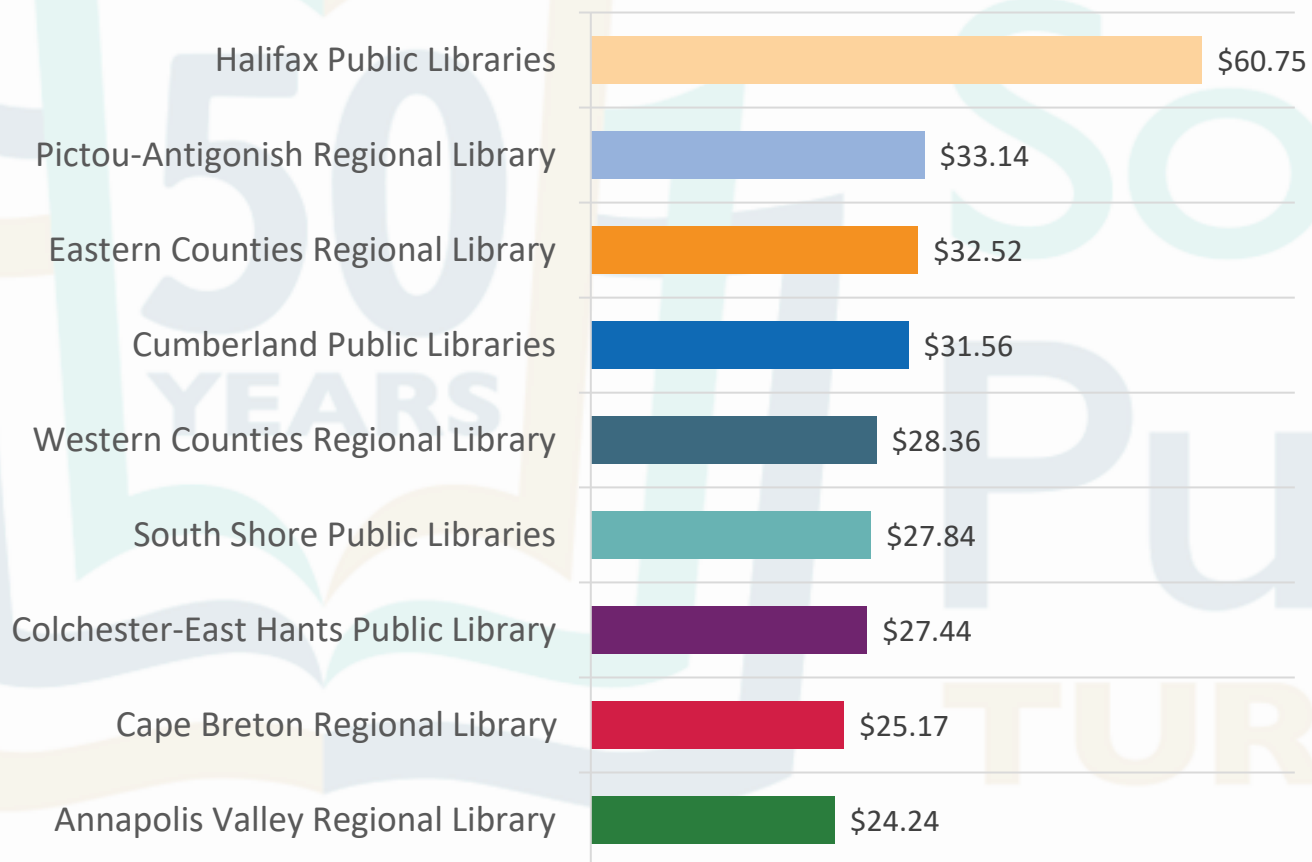
- Same Page launched in January 2022
- Consortia catalogue of 8 regional NS library systems
- 1,000,000+ items to borrow



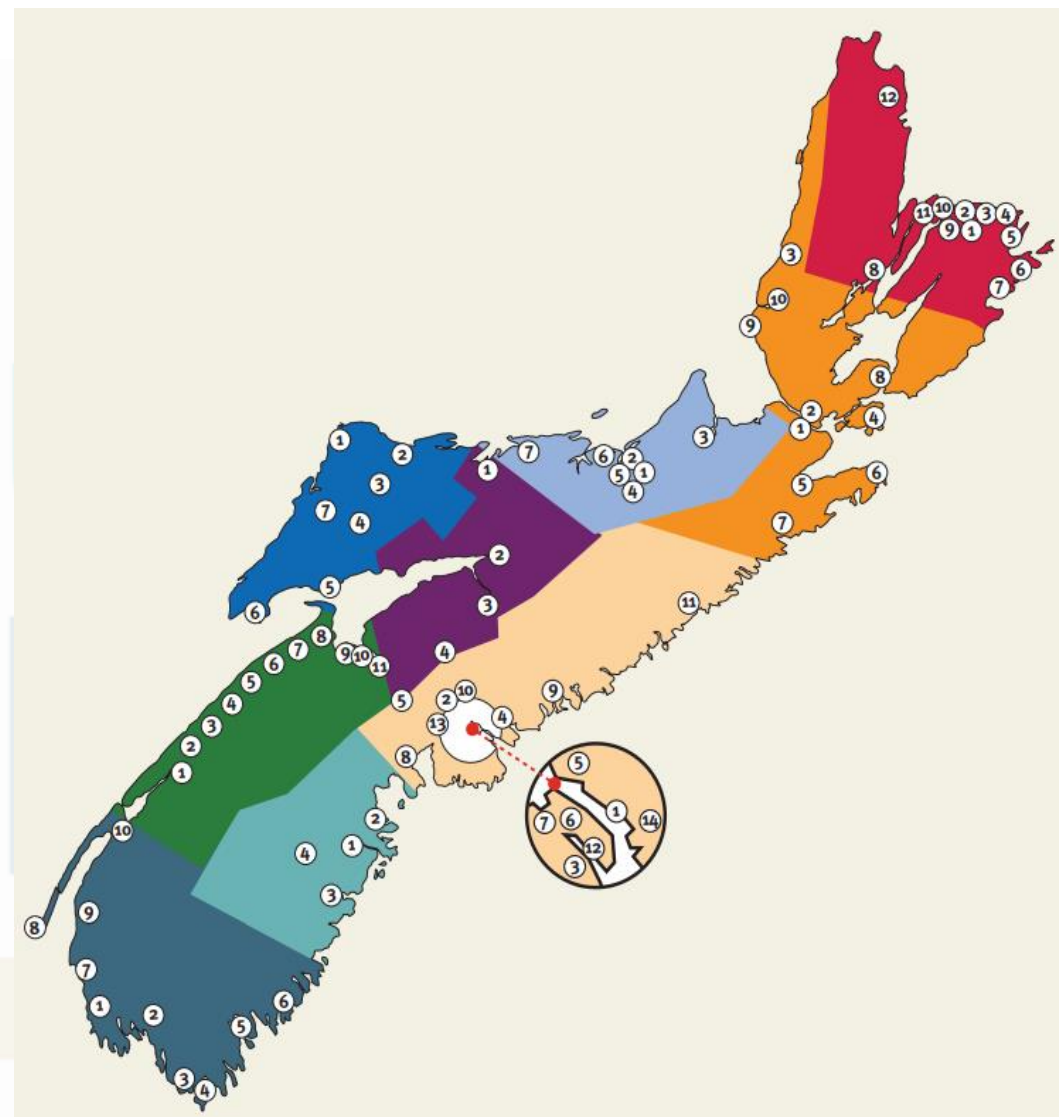
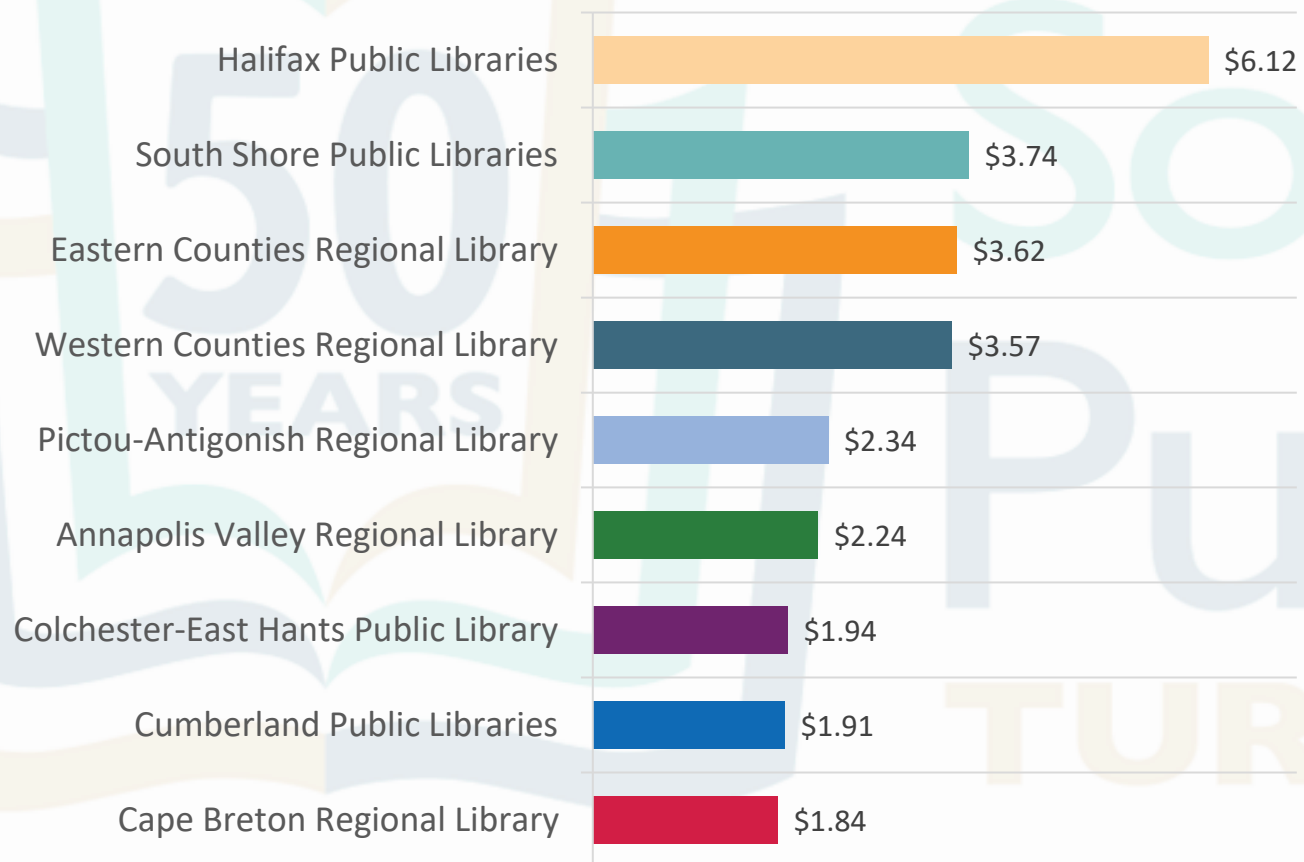
Physical & Digital Borrowing (5-year trend)



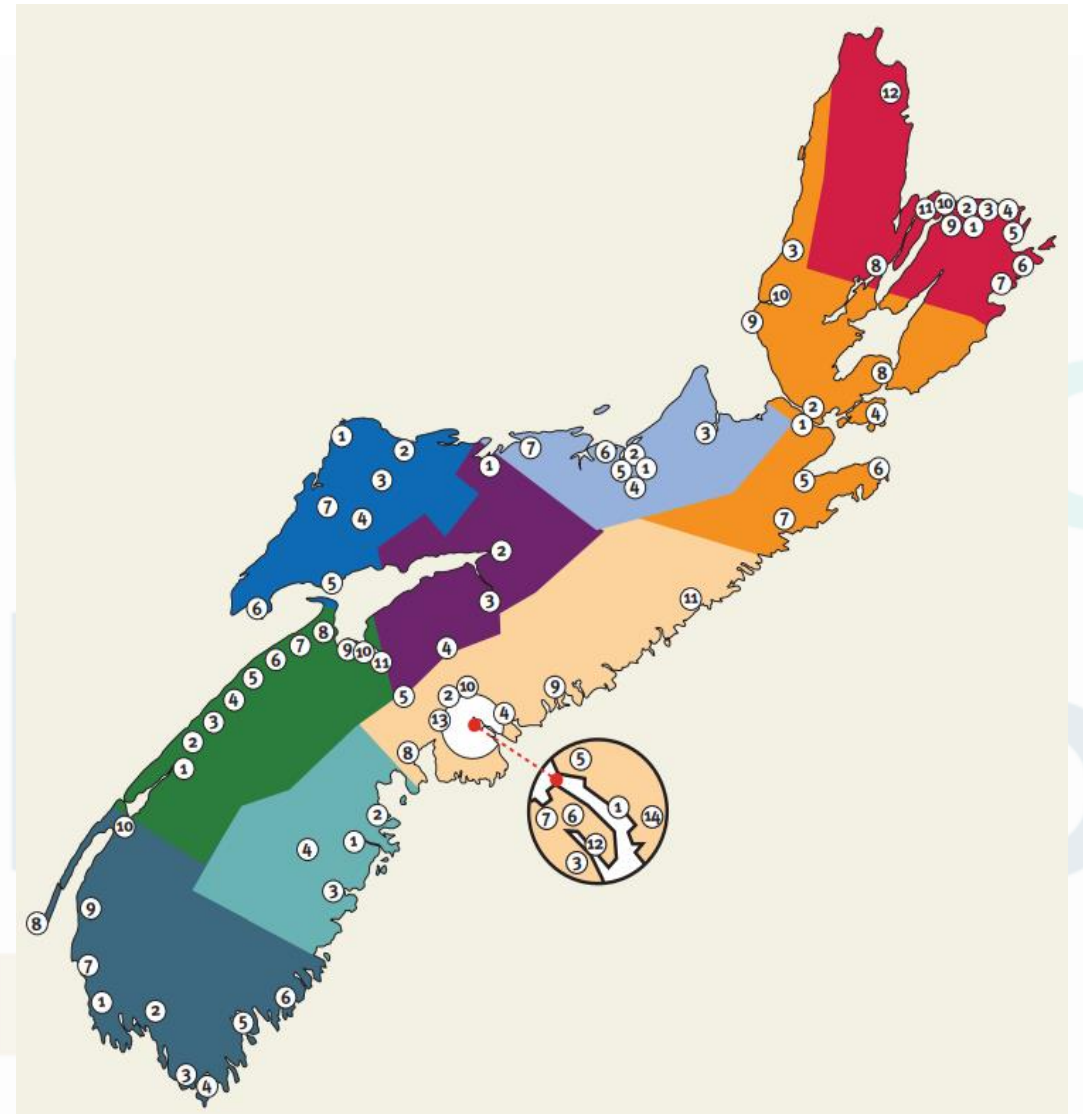
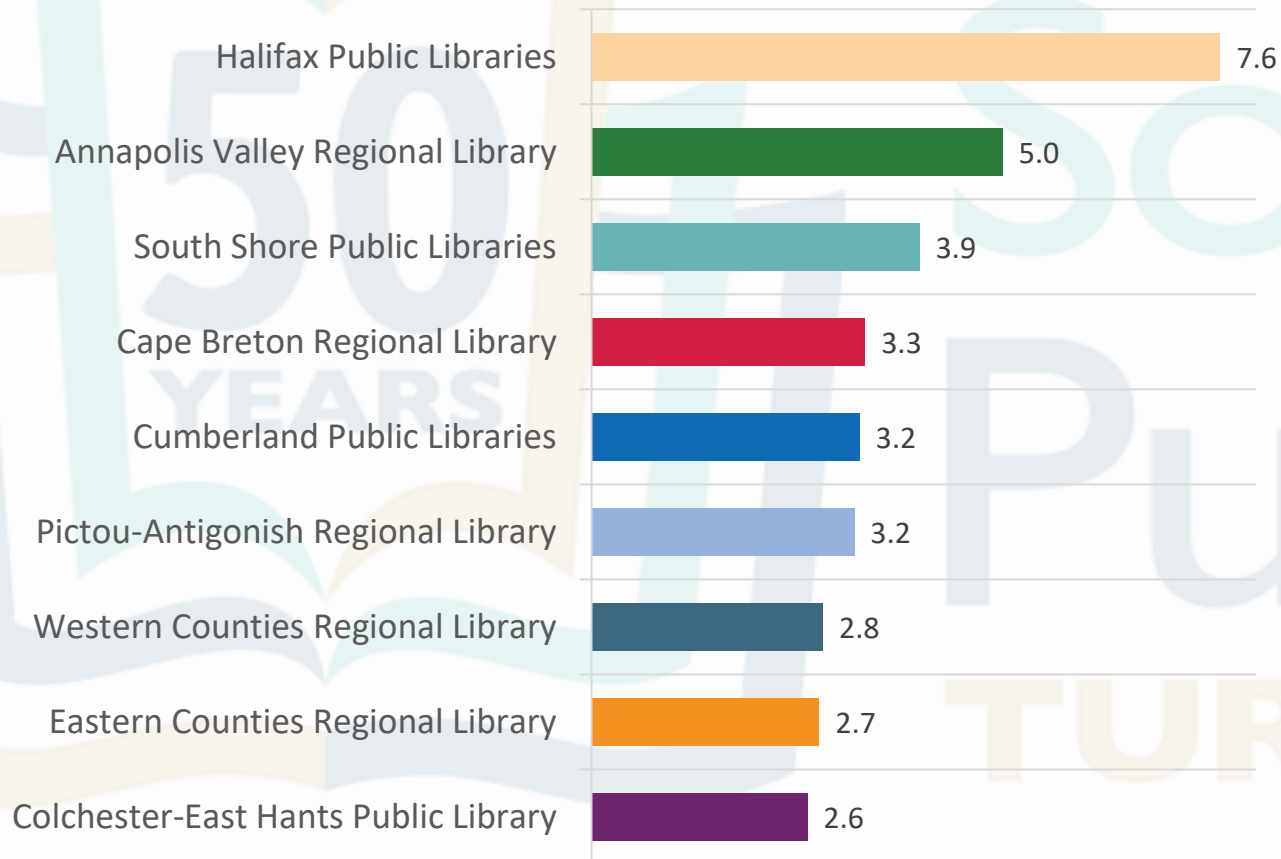
Per Capita Expenditure (2020-2021)



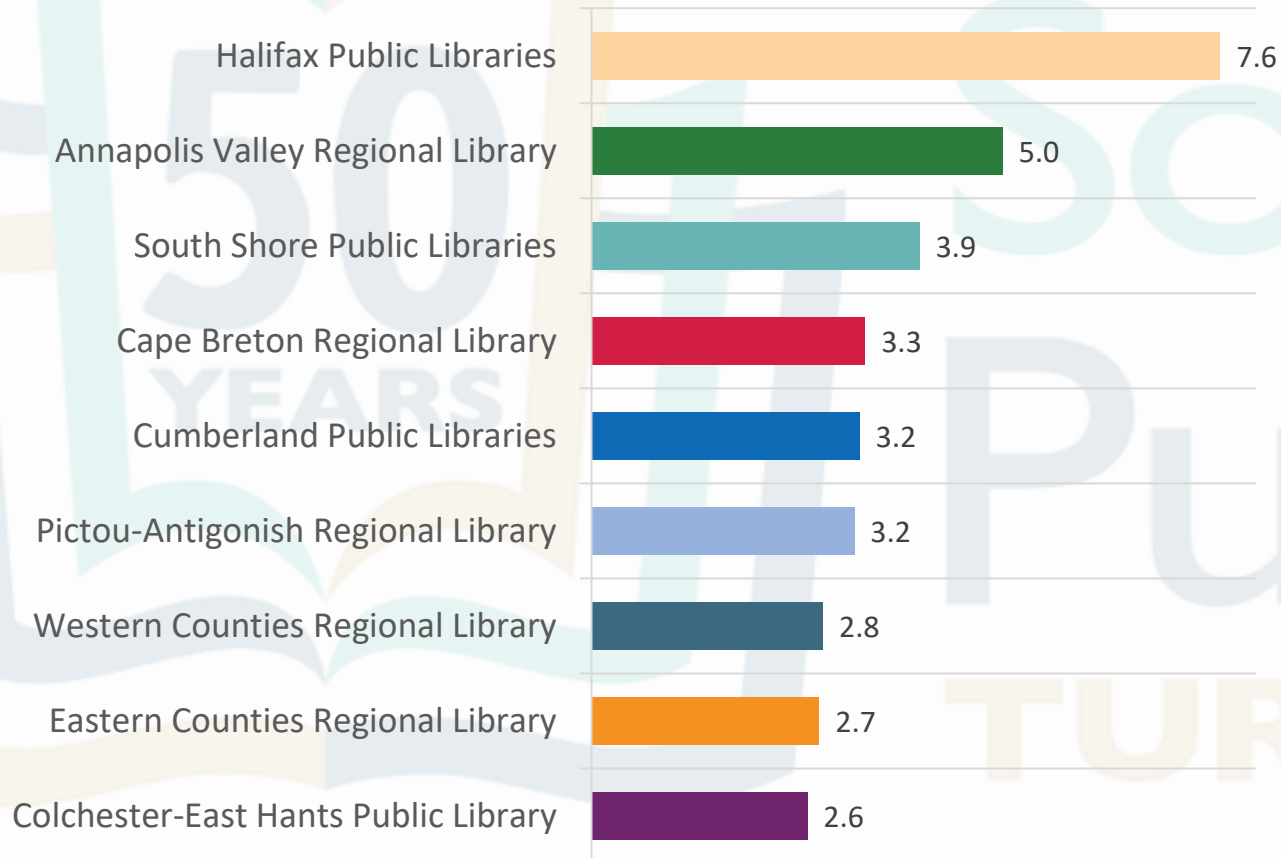
Collection Spending per Capita (2020-2021)



Annual Borrowing per Capita (2021-2022)



Annual Borrowing per Capita (2021-2022)



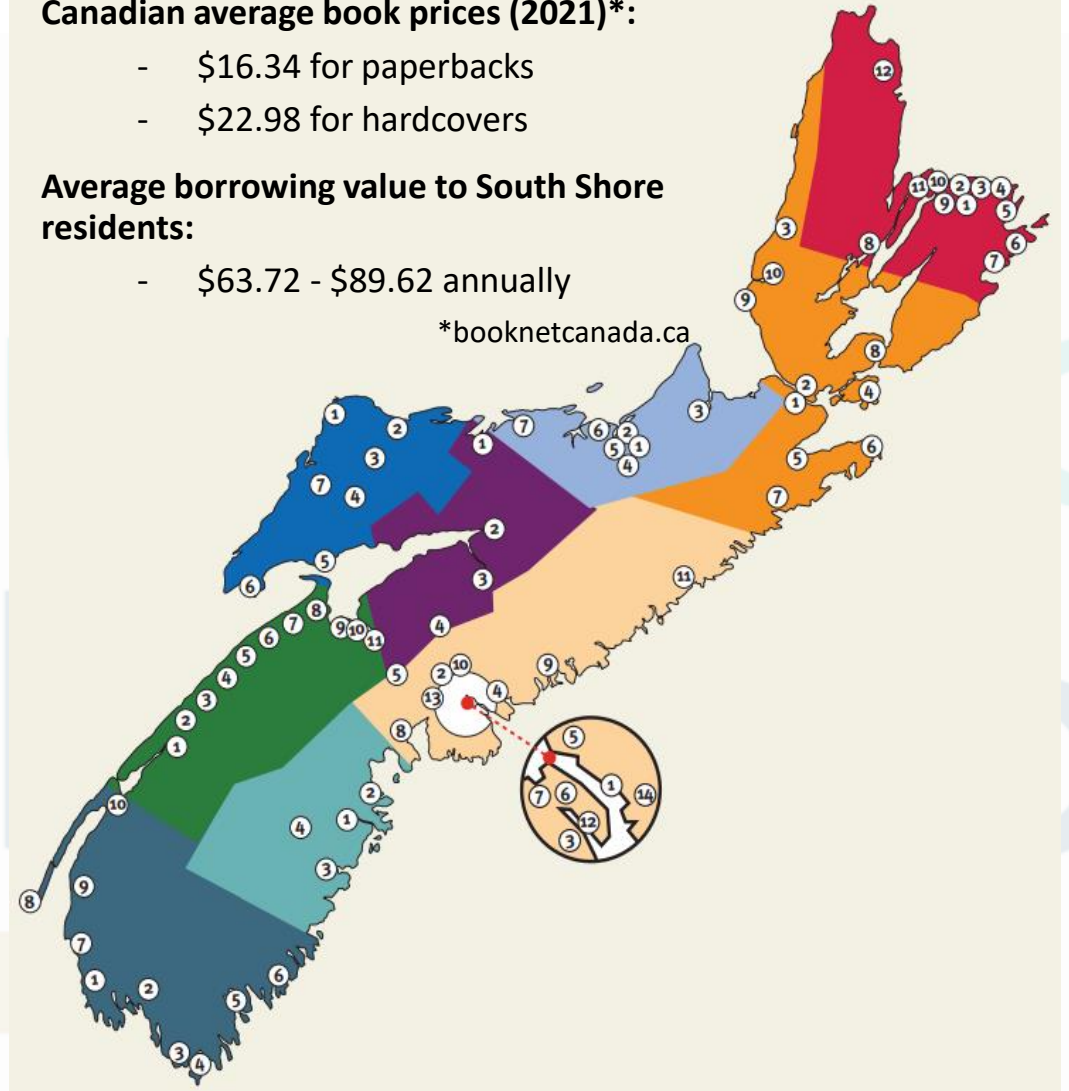
Canadian average book prices (2021)*:

- \$16.34 for paperbacks
- \$22.98 for hardcovers

Average borrowing value to South Shore residents:

- \$63.72 - \$89.62 annually

*booknetcanada.ca



COVID-19 Rapid Test Distribution

- Vaccine Appointment Booking assistance
- Printing Proof of Vaccination papers
- ALA award-winning *Caring Calls*



Seed Library

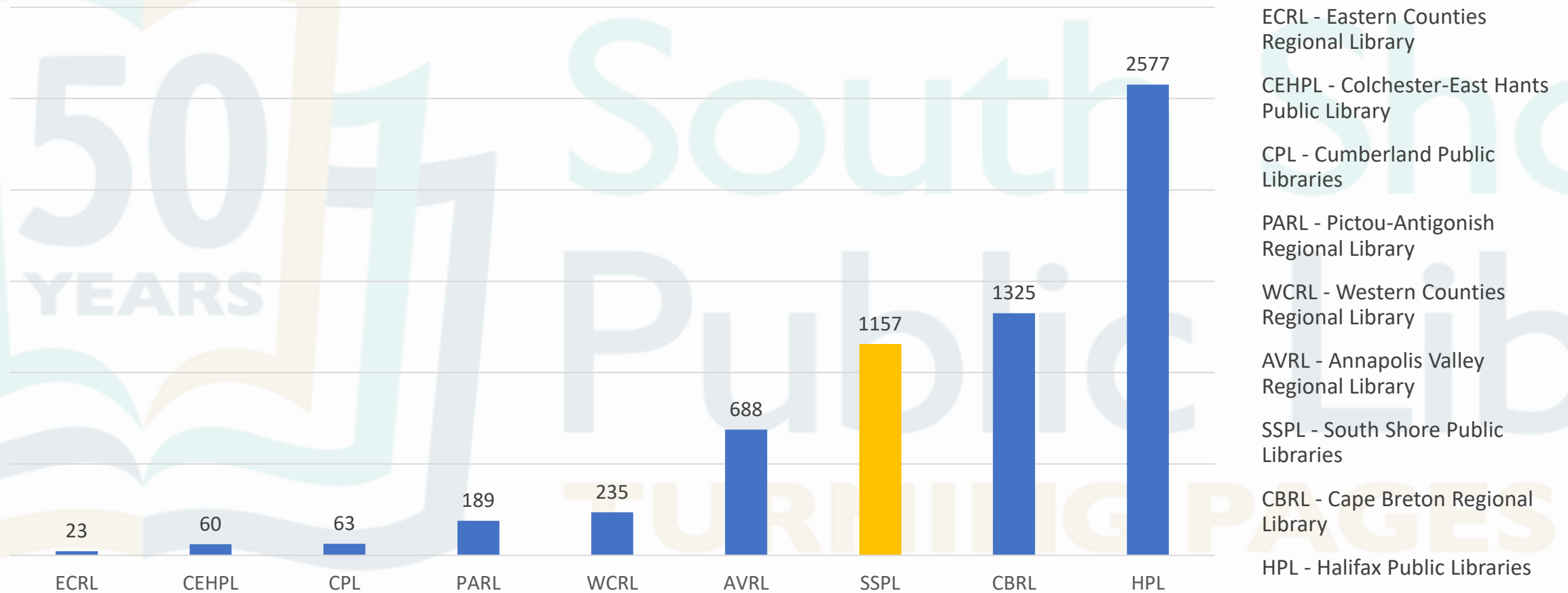
- Free seeds to anyone
- Residents may return their own harvested seeds
- Contributes to food literacy, sustainability & healthy eating



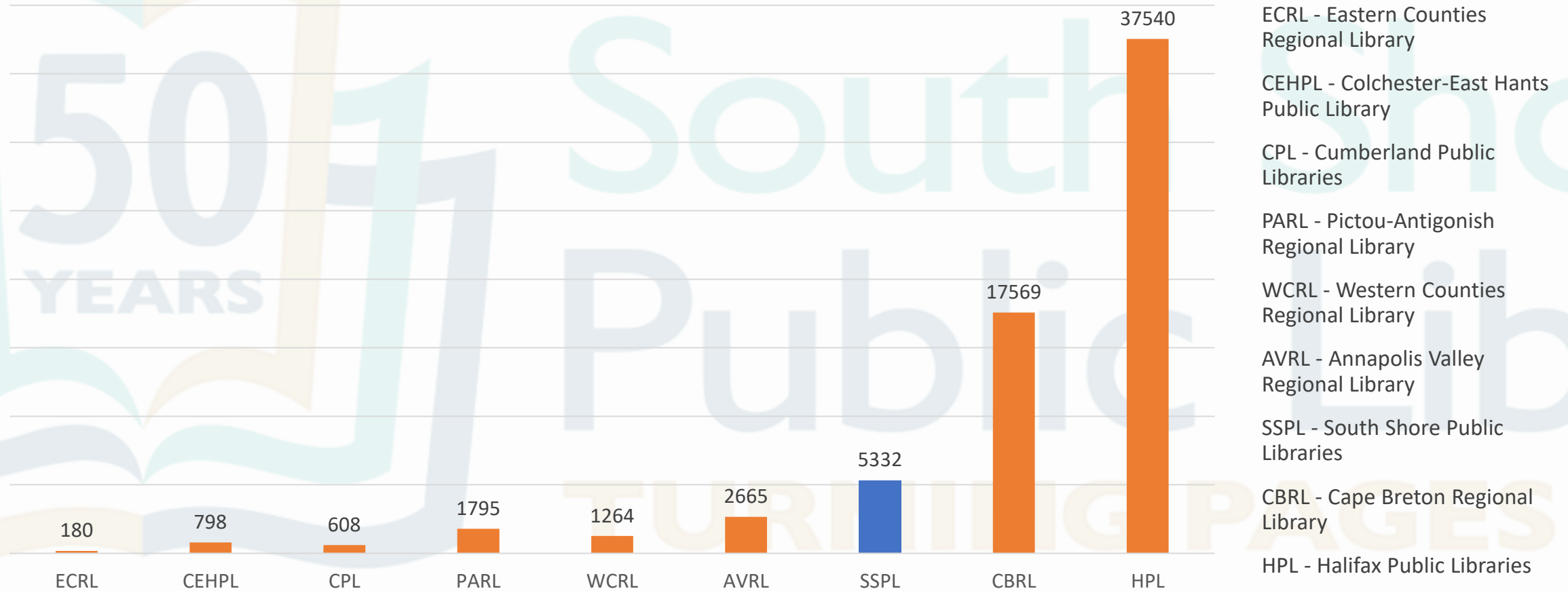
ENGAGING PROGRAMS



Total in-person programs (2021-2022)



In-person program attendance (2021-2022)



East Cost Kitchen Party & Truelove Ways



- March & August 2022 at THRL
- Both events well attended
- Feedback from attendees:

We were “bringing life” back to the library after COVID restrictions



Dalhousie SuperNova Camp

- Week-long summer camp (9am-4pm) offered FREE to participants
- Dalhousie camp instructors offer fun STEM (Science, Technology, Engineering, Math) activities
- Support curiosity and learning in high-demand STEM fields



Paddling, Hiking, Local History and more!



Program feedback from
Kathy Stitt (Queens
County Museum) local
history talk attendees:

- “Excellent, animated and informed!”
- “Kathleen is always entertaining”
- “Very knowledgeable”
- “Well done”



Babies & Books

- Babies 0-18 months
- Early literacy sets up for lifelong success
- Social setting for parents battles isolation and post-partum depression



Garden Club

- Innovative new program for adults and children
- All summer at Lunenburg Library
- Supports food literacy



Drag Queen Storytime

- Hosted at the MHPL August 2022
- First-time partnership with Lunenburg Pride
- Over 125 in attendance!



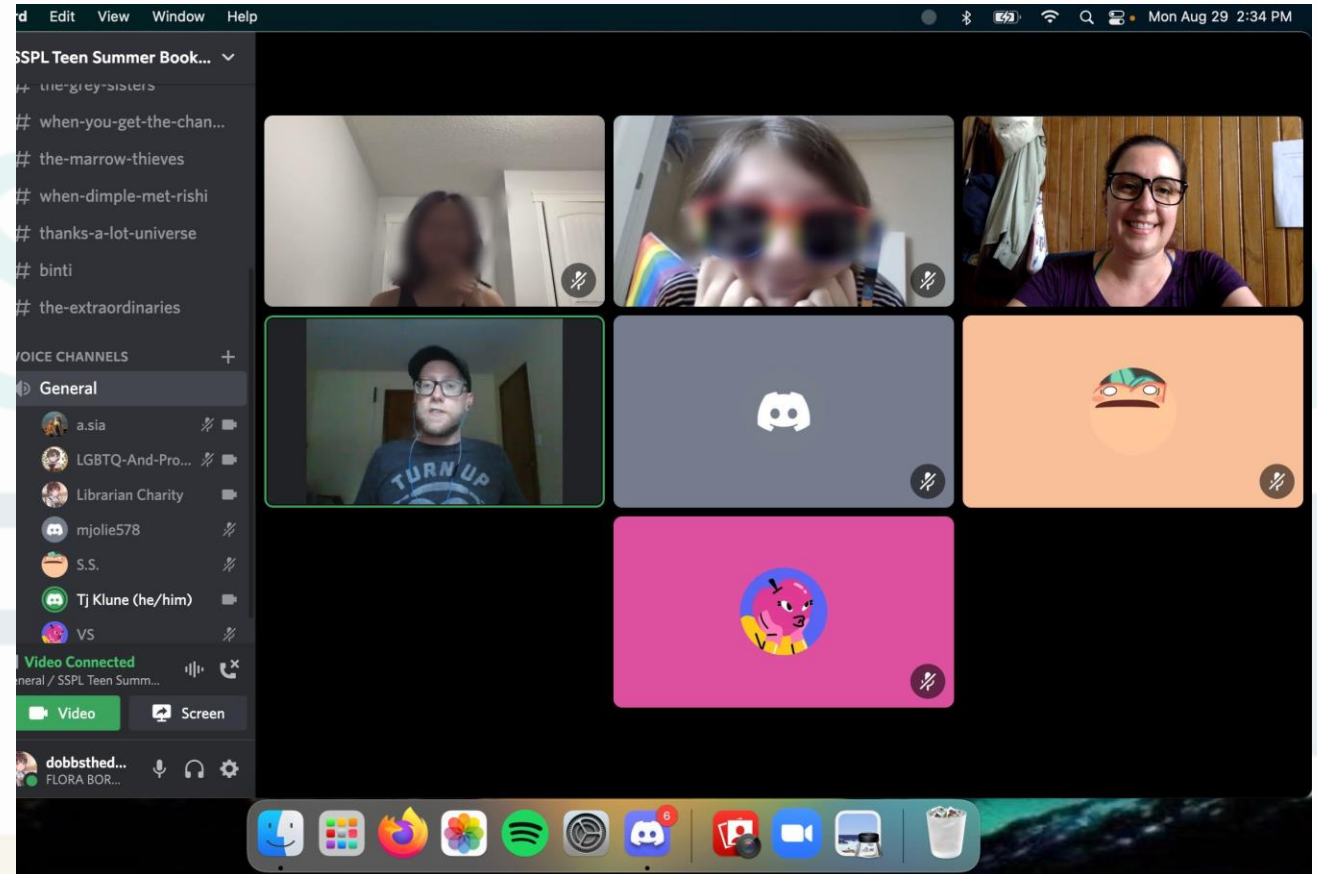
Mi'kmaq Moons

- Facilitated by Cathy Leblanc and Dave Chapman
- Stories related to Mi'kmaq tradition of time-keeping and astrology
- 26 in attendance
- Education goals of the Truth & Reconciliation Calls to Action



Teen Summer Book Club

- Hosted weekly on Discord
- Online tool allows teens to easily participate without transportation barriers
- Average of 5 participants weekly



Lunenburg Lit Festival

- 7th annual Lunenburg Literature Festival takes place September 22-24
- Festival continued in-person with modifications in 2020 and 2021
- Draws authors and visitors locally and from afar



Big 50 Picnic

- SSPL celebrates its 50th anniversary
- July picnic partnership with Lunenburg Art Gallery & Lunenburg Heritage Society
- Over 100 in attendance



**Region of Queens Municipality Regular Council
Tuesday, August 9, 2022, 9:00 a.m.**

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Kevin Muise
Councillor David Brown
Councillor Maddie Charlton
Councillor Ralph Gidney
Councillor Vicki Amirault
Councillor Jack Fancy
Councillor Carl Hawkes
Chris McNeill, CAO
Eric Levy, Municipal Clerk
Christine Watson, Admin. Assistant – Planning & Development

1.0 Call to Order

Mayor Norman called the meeting to order at 9:00 a.m.

2.0 Changes / Approval of Agenda

Add In Camera Items 9.2 Potential Litigation, 9.3 Sale of Municipal Property and 9.2 now becomes 9.4 Personnel

It was moved by Councillor Brown and seconded by Councillor Amirault that the Agenda be approved as amended.

MOTION CARRIED unanimously.

3.0 Presentation

3.1 Queens Care Building Society

Mayor Norman welcomed Chris Clarke, Chair, Queens Care Society Andrew MacVicar, Executive Director, Queens Manor and Chair, Project Steering Committee, Maury Tate, Project Manager and Tony Ross, Principal, Montgomery, via Zoom.

Mr. Clarke stated the Queens Care Building Society are present today to provide an update on the progress for the new nursing home for Queens and to discuss its location. A Cooperation Agreement was signed between the Queens Care Building Society and Region of Queens Municipality. A Steering Committee was struck with members from the Queens Care Building Society and the Region of Queens Municipality.

The facility will have 112 beds which has an additional 22 new beds from the original plan which will have a huge impact on acute care. There are currently 103 staff at the Manor and it is expected to almost double. The cost of the project itself is between \$50 – 70 Million.

He thanked employees of Region of Queens Municipality for their contributions, especially Chris McNeill, CAO, Adam Grant, Director of Engineering and Public Works and Janie Ryan, Manager, Hillview Acres. He further thanked Kim Masland, MLA for Queens, who worked hard for the additional beds for Queens.

The objective today is to determine a site for the new facility to proceed. Mr. Clarke noted that Alex Denero from Marco is present and is the Construction Manager.

Mr. MacVicar provided an update on activities the Steering Committee have been working on. They have been busy designing the new facility. The project was awarded to Fowler Bauld & Mitchell from Toronto and Montgomery Sisam Architects Inc. from Halifax.

The RFP for construction manager was completed in June and Marco Builders of Canada, located in Halifax and Newfoundland, were selected to be construction managers for the new build.

Over the last two months work has been done to establish a design that best meets the needs of residents and staff from both facilities. Tony Ross led sessions with people from both current facilities to establish a vision for the new facility.

The sessions which included discussion on Nova Scotia guidelines for long term care facilities and how this will affect the layout and the day-to-day functions of the facility. The design team will be interacting with frontline staff from all departments from both facilities.

Tony Ross, Principal, Montgomery Sisam Architects Inc. provided a presentation to Council.

Some highlights included:

Amenities already in place such as the Best Western Hotel, Queens Place Emera Centre, Skate Park, and Cosbys.

He reviewed the Modules for 112 residents and compared a one storey building to a hybrid model.

Elements of our program that need space:

- Priority parking, staff parking and bus parking
- Geothermal energy infrastructure
- Noise buffer
- Resident courtyards
- Community hub
- Solar PV
- Fire protection
- Maintenance path
- The Residents – Queens Manor and Hillview Acres have exemplary existing Recreational Programs and want to continue to deliver life to years

A site of 11.7 acres was used as a baseline for the study.

Mr. Ross provided information on Option 1, a one storey building. In addition to the existing site features, some proposed features include an arrival and priority parking, canopy/drop-off, home community spaces, household supportive services, loading, park/plaza, highway landscape buffer, and geothermal field. He stressed the importance of incorporating community integration with the residents to enhance their social lives. Each section of the building will have access to outdoor spaces.

He provided background on Option 2, a hybrid model which combines a one and two storey building and incorporates much of the same features as in Option 1.

He commented that the list would be endless on the vision for the Community Programming, for other programs could be incorporated on this site, i.e. a farmers market, outdoor skating, a child care centre, seniors programming and a community garden.

Mr. Ross showed views of the Tidal View Manor in Yarmouth, NS and Peel Manor in Brampton, Ontario to show what the proposed facility could look like.

Maury Tate, Project Manager, stated there is a need to secure land to finalize the design. He anticipates the facility opening by 2025 / 2026.

Councillor Gidney enquired if the design includes double rooms for seniors who may be married. Mr. MacVicar stated the decision for this would be up to the administrator but this has happened previously and will be looked at.

Councillor Gidney enquired if there will be Palliative Care Rooms available. Mr. MacVicar stated most of the rooms are private and would provide privacy. Consideration for family spaces will be considered.

Councillor Brown enquired what their vision for a community hub would look like. Mr. Ross stated the vision is boundless and many things could be integrated such as child care or a library, just aligning the right partners and securing funding.

Councillor Fancy enquired which option the Building Committee desired and all stated that Option 1 would be the most appropriate and provide ground level and access to outdoor spaces to the residents.

Mayor Norman thanked the Building Committee for their presentation.

Mayor Norman announced a 5 minute break at 10:00 a.m.

4.0 Tabling of Petitions

There were no petitions to come before this meeting.

5.0 Public Question / Comment Session

Leon Robertson, College Street, Liverpool – Mr. Robertson provided positive comments on the presentation by the Queens Care Building Society. He noted a large surplus on the financial statements. He further enquired under the Council Implementation Report under Planning on the watercourse setbacks. Mayor Norman stated it was previously 50 feet with the ability to reduce to 25 feet and the new setbacks are 100 feet with the ability to reduce to 50 feet, providing documentation and a study has been completed.

Patti Pike, Main Street Milton – Ms. Pike stated she was representing Queens Care Society and noted that Susan MacLeod and Randy Dickie were also present. They are part of the affordable housing committee working to bring housing to Queens for seniors. They support the Queens Care Society project who are seeking the location for their facility at the Queens Place site. This site provides accessibility and is a vibrant area which enables the residents to be involved and all residents and staff would benefit from this location.

6.0 Approval of Minutes

6.1 Regular Council – July 12, 2022

It was moved by Councillor Gidney and seconded by Councillor Hawkes:

THAT the minutes of the Regular Council meeting held July 12, 2022 be approved as amended.

MOTION CARRIED unanimously.

7.0 Recommendations

7.1 Bylaw for Road Levy Collection for Non Profit Associations

It was moved by Councillor Brown and seconded by Councillor Fancy:

THAT Council of Region of Queens Municipality approve the initiation of the Bylaw drafting process that would document the conditions required in order to facilitate collection of Road Levies by Region of Queens as part of the tax billing process.

Joanne Veinotte, Director of Corporate Services, stated since this was discussed at the last Council meeting she has received 3 enquiries from other home / land owners associations.

MOTION CARRIED with 6 in favour and 2 against.

7.2 South Shore Regional Hospital Foundation Brighter Days Capital Campaign Funding

It was moved by Councillor Charlton and seconded by Councillor Amirault:

THAT Council of Region of Queens Municipality approve a donation of \$100,000 to the South Shore Regional Hospital Foundation Brighter Days Campaign, to be funded directly from the Special Operating Reserve in the 2022/2023 budget year.

Councillor Fancy stated he is concerned for the Queens General Hospital and should only be providing the campaign with \$25,000 and then revisit next year.

Deputy Mayor Muise stated he was not against the foundation, but he has been receiving many call on our own Emergency Room and feels the money should be going to them instead.

Councillor Charlton stated the hospital foundation support this campaign. RQM has not received any request for money from

Queens General. Queens's residents will be using The South Shore Regional Hospital and suggested to sit with Al Doucette, Queens General Hospital Foundation representative, to see how we can help. Councillor Amirault agreed.

Deputy Mayor Muise took the chair at 10:33 a.m.

Mayor Norman stated following discussions Councillor Brown had with Al Doucette, Region of Queens Municipality was encourage to write a letter of support of Queens General on the purchase of a CT machine. The Foundation has not asked the Region for money. Providing money to Queens General would not help with the ER issues.

The South Shore Regional Hospital is our hospital as well and encouraged everyone to support this ask.

MOTION CARRIED with 6 in favour and 1 against.

Mayor Norman resumed the chair at 10:37 a.m.

7.3 Town Hall Arts and Cultural Centre – Accessibility Renovations

It was moved by Councillor Gidney and seconded by Councillor Fancy:

THAT Council of Region of Queens Municipality approve the installation of a new barrier free access ramp and building entry on the eastern side of the Town Hall Arts and Cultural Centre (RBC side) to meet the accessibility needs of users of the facility.

Mike MacLeod, Director of Planning and Development, stated having the ramp installed on the eastern side of the Town Hall Arts and Cultural Centre (RBC side) is the most appropriate location and meets the required needs of the users.

Councillor Gidney pointed out there are items not addressed in the letter from the Astor Theatre Society.

MOTION CARRIED unanimously.

7.4 Adoption of Audited 2021-2022 Financial Statements

It was moved by Councillor Brown and seconded by Councillor Charlton:

THAT Council of Region of Queens Municipality adopt the Audited Financial Statements for the fiscal year ended March 31, 2022.

Mrs. Veinotte circulated updated sheets from the statements and explained the difference was reallocation of money i.e. payments to the School Boards and RCMP, to agree with the budget note.

A special meeting was held with the Audit and Internal Control Committee and the financials were reviewed and no outstanding issues were found. Kelsey Murphy, Senior Auditor from Grant Thornton requested some formatting changes.

The statements will remain in draft form until Grant Thornton receive a legal letter and they do not anticipate any issues.

In response to Mr. Robertson's comment on the surplus, some contributors were double the Municipal grants in the amount of 1.2 Million, double our Canada Community Building Fund in the amount of \$680,000 and \$300,000 contributed as a result of our pension plan surplus. Deed transfer tax was close a million over budget for the year.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 July 18 Tax Sale Summary

Mallory Plummer, Manager of Finance, stated a tax sale was held at the Best Western on July 18, 2022 for 23 properties. As originally stated all properties were sold, but since then one bidder has not made payment nor made contact. Bidders have 3 days to pay. No properties were redeemable so purchasers can take ownership right away.

Another tax sale is planned for November with 60 notices being sent out. Our lawyer is doing title searches.

A total of \$46,000 was received to pay off outstanding accounts and \$280,000 is going to the Tax Sale Surplus Reserve Account.

The proceeds in excess of the taxes and costs outstanding are held in Trust for a period of up to 20 years, unless withdrawn by the previous owner through a Court Order. The amount will then be transferred to the Capital Reserve Fund if no Court Order is received.

8.2 Council Implementation Report

No issues were brought forward from this report.

8.3 Financial Review Quarter One 2022

Mrs. Veinotte provided a review of the first quarter financial statements. Some highlights included:

Revenue Analysis:

- Protective Services – Hydrants \$200,178 and budget is \$196,427 (difference is caused by rounding and will be allocated to the utility before year end).
- Deed Transfer Tax – In Quarter 1, 2021, the deed transfer tax was \$400,156, this year it is \$390,680. It was anticipated to decline 50% and was budgeted for. So far this year, no significant decline has been seen. The deed transfer tax was 1% and not the current rate of 1.5%.
- Nova Scotia Power Corporation – Actual is higher than budget. This rate is set by the province and is unknown at the time of budget.
- Real Estate (comparison analysis of Q1 2021/22 to 2022/23) – Total number of sale were down 34% (258 to 169). Total sales value down 28% (\$36,844,108 to \$26,292,536). Average sale value was up (\$141,820 to \$157,316). Sale prices are consistently over assessed, averaging 68% over 63.5% last year. Sold lots with dwellings represents about 50% of sales. Districts 9 and 10 show strong sales.

Expenditures:

Expenditures are expressed as a percentage of the annual budget. They will show as being close to 100% of budget rather than 25% for the quarter for those that are recorded at the beginning of the year.

Section 9 – General Government Services:

- Travel – Council related mileage expense for meetings.
- Other – Legislative – Hall rentals for meetings, cell phone for Mayor, meal expense for Council, training or courses (none taken yet), Queens Coat Branded clothing (none spent yet).
- Taxation – Reduced Taxes – This is our low income tax rebate which both the amount and the LICO to be eligible for this rebate were increased, and the uptake has been strong with some residents having tax bills lower than \$300.
- Licenses and permits are almost at 50% with the main contributor being building permit revenue at 48% of budget for the year.

Section 10 – Protective Services:

Firefighting more than 25% because grants are paid 50% in the first installment and liability insurance was more than anticipated.

Section 11 – Transportation Services:

Small tools and equipment includes safety gear. Over \$11,000 was invested in safety shoes this quarter.

Section 12 – Environmental Services:

- Sewage Collection treatment and disposal – There was an error in the calculation during the budget process. The total for sewage treatment and disposal included the \$109,552 for the sewage collection system and has been corrected on this statement. This was discovered when the June statements were done using the new format and a copy of the relevant page has been included in the budget with the error highlighted.
- Garbage and Waste Collection – RQM contract GE Trucking for this service and will now be paying an additional fuel surcharge each month at the price of 10% above the base price that was set when the contract was negotiated at 89.64 cents per liter. If the price of gas increases above 10% of this price, a fuel surcharge for the difference is owing and we anticipate these charges to be over \$150,000. This quarter was \$45,000.

Section 14 – Environmental Development Services:

- Other Costs – Accessibility projects completed this year and looks to be over budget because the revenue is recognized in Section 7.
- Tourism and Economic Development – Includes Liverpool Business Development Center. There were unbudgeted expense of over \$40,000 this quarter due to a fire in the building.

Section 15 – Recreation and Cultural Services:

Parks and Playgrounds includes a one-time purchase of a used truck.

Section 16 – Fiscal Services:

Budgeted transfer from reserve include Sidewalk Reserve, First Responders, Landfill Equipment, General Equipment, Landfill Report cost recovery and 2nd Generation Landfill.

8.4 Human Resource Policy Employee Handbook

Mayor Norman stated Eric Levy, Municipal Clerk and Diversity Coordinator, has been working on the Human Resource Policy Employee Handbook. A review committee of staff and Councillors was created to review and discuss the applicability and potential effectiveness of the policies.

Revisions to the documentation:

- Page 15 – Section 3e – Representation definition, for consistency, will be replaced with definition of Representative on Page 8.
- Page 15 – Section 5 – The reference to Section 3 should read as Section 4.
- Page 15, Section 4, add African American.
- Page 24 - Question was raised concerning Item 4 under Policy Details. It was determined to only provide this information and not provide any personal or confidential information.
- Page 48, Section 11 – The reference to Section 3 should read as Section 2.
- Page 96, Section 4b – The reference to Section a should read Section 4a.

Deputy Mayor Muise questioned the reasoning on Page 19, Section 14, of not hiring an immediate relative or intimate personal relations to a current employee. Mr. Levy stated this is common practice and would be discouraged to have members of the same family working together, and anyone in the recruitment process would be asked to excuse themselves to not be in a conflict of interest.

Councillor Amirault enquired about the Policy concerning Court Leave and why it was not included. Mr. Levy stated this is legislated and would be covered under the Labour Standard Code.

Councillor Amirault enquired about the Policy concerning Computer Purchase Program and why it was not included. Mr. Levy stated in discussions with Directors, it was determined the program is slowing down and the overall cost of computers has become more affordable than it was when that policy was created.

Councillor Amirault further enquired about the Policy concerning Donation in Memorial. Mr. Levy stated the Mayor does send a card. In addition, the challenges in tracking where the request comes from and the risk of omitting someone.

Councillor Charlton asked for clarification under Policy concerning sick leave, Section 9 states a medical certificate may be required if sick leaves exceeds three (3) days, and noted that some people do not have doctors and it may be hard for employees to get the required documentation especially if they do not have a family doctor. Mr. Levy stated that employers can ask for doctor's notes after 3 days to provide more details why the employee is absent. If employee is having issues, investigation as to how the employer can help them and the issue of attaining the note would be taken into consideration.

Mayor Norman asked for the insertion of "or chosen family" to be inserted, in Policy concerning Recruitment, Section 15, where we do recognize a chosen family in this document.

It was moved by Councillor Charlton and seconded by Councillor Amirault:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

8.5 Road Naming – Cahoon Lake

Mr. MacLeod stated a request has been submitted to name an existing right-of-way off Highway 331 in East Port Medway. Cahoon Lane is the name choice and is acceptable as no same or similarly name road exists in Queens County.

As per Policy 6 respecting Naming and Renaming of Roads, a road name change or naming a petition must be submitted by the owner of the road, and if no specific owner can be determined, a petition signed by 70% of the persons that own land abutting the road may be submitted. Over 70% were in agreement with this name change.

It was moved by Councillor Brown and seconded by Councillor Charlton:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

8.6 Fees for Planning Services

Mr. MacLeod stated under Policy 7 – Fees for Planning Services establishes fees for the Municipal Planning Strategy (MPS) and / or Land Use Bylaw (LUB), development agreement process, etc. and will offset costs associated with providing these services.

The current policy was adopted in 2011.

He noted suggested changes:

- 7.02 – A slight increase for an amendment to a planning document from \$700 to \$750. If the actual costs are less than the deposit, the Municipality shall refund the balance to the applicant.
- 7.03 – This is a new section that pertains to development agreements which incurs legal fees and registering at the Land Registration office. Suggested cost of \$850 due to the last number of development agreements done, \$700 does not cover the costs and we had to go back to the applicant for the additional funds.
- 7.07 – Minor change in the cost of processing a variance application to \$25.00, up from \$10.00
- 7.08 – This is a new section and pertains to a site plan approval application with a fee of \$25.00. This is similar to the variance application.
- 7.17 (formerly 7.15) - The reference to CD has been removed, no one uses them any longer. Customers are to supply their own portable storage devices.
- 7.17 – Remove reference to sending letter to applicants outlining a process due to letters being written when necessary; not everything requires a written outline of the process.

It was moved by Councillor Gidney and seconded by Councillor Amirault:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

9.0 In-Camera Items

It was moved by Councillor Gidney and seconded by Councillor Amirault that the proceedings go In-Camera at 11:34 a.m. to discuss the following:

- 9.1 Sale of Municipal Property**
- 9.2 Potential Litigation**
- 9.3 Sale of Municipal Property**
- 9.4 Personnel**

MOTION CARRIED unanimously.

Mayor Norman announced a 10 minute break at 11:34 a.m.

It was moved by Councillor Charlton and seconded by Councillor Brown that the proceedings exit In-Camera at 12:35 p.m.

MOTION CARRIED unanimously.

9.1 Sale of Municipal Property

It was moved by Councillor Fancy and seconded by Councillor Gidney:

THAT Council of Region of Queens Municipality declare properties identified as PID #s 70077698, 70777722 and 70077680 as surplus to municipal needs and enter into a purchase and sale agreement with Eric and Dawn Fry to convey the municipal lands for the appraised value of \$95,000.

Mayor Norman stated the Region was approached about municipal property that was available for housing. Vacant land sitting at the first bridge in Milton, known as Garika Park, was considered surplus land and has gone through the appraisal process. Council understands the need for housing in Queens.

MOTION CARRIED unanimously.

9.3 Sale of Municipal Property

It was moved by Councillor Amirault and seconded by Councillor Gidney:

THAT Council of Region of Queens Municipality declare property identified as a portion of PID 70260203 as surplus to municipal needs and enter into a purchase and sale agreement with Queens Care Building Society for the future development of a new long term care facility.

Mayor Norman stated there has been much discussion regarding the new 112 bed residential/nursing home. Queens Place land has been look at. We had an excellent presentation this morning and the site offered within the South Queens area is unique and will provide a unique and meaningful community based facility.

MOTION CARRIED unanimously.

10.0 Adjournment

The meeting adjourned at 12:45 p.m.

Mayor Darlene Norman, Chair

Eric Levy, Municipal Clerk

Christine Watson, Administrative Assistant – Planning & Development

Date Approved: _____

**Region of Queens Municipality
Staff Report**

7.1

To: Council

From: Mike MacLeod, Director of Planning and Development

Date: September 13, 2022

Re: Road Naming – Cahoon Lane

Background

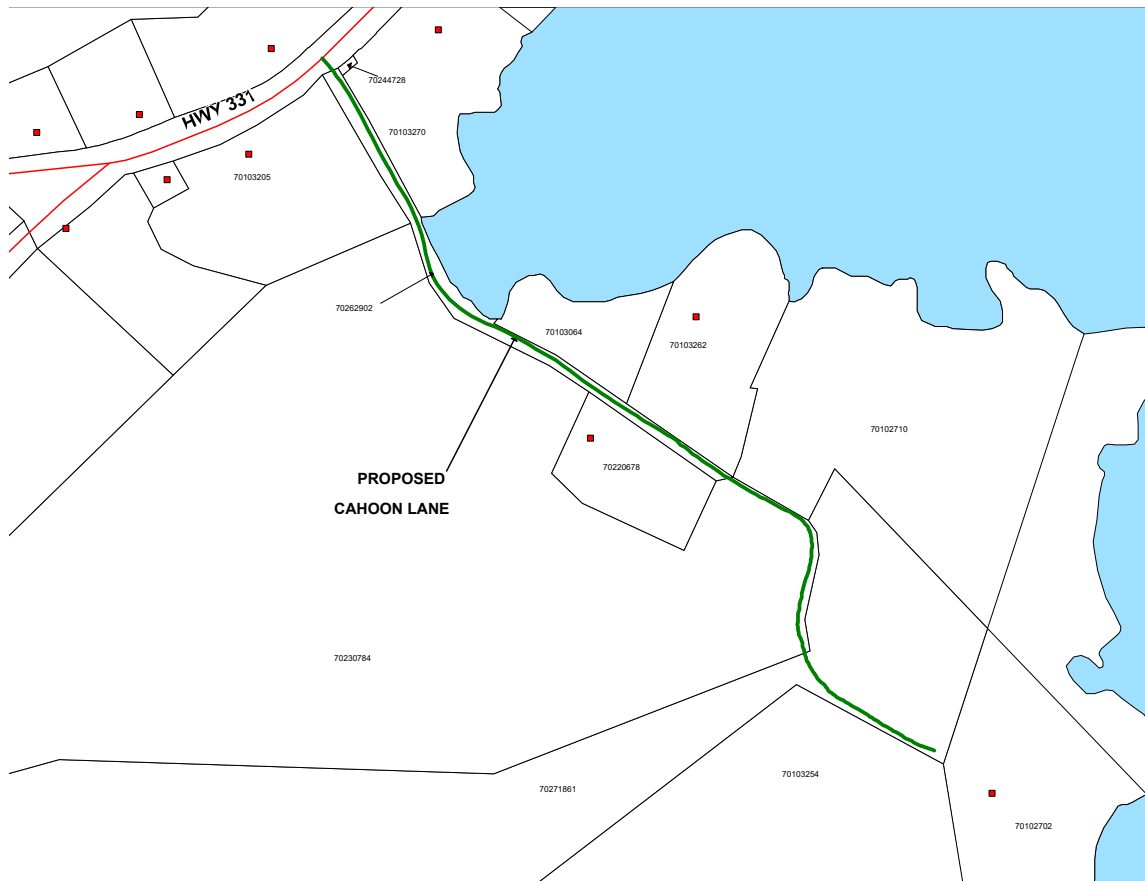
A request has been submitted to the Planning and Development Department, which would see the naming of an existing right-of-way off Highway 331 in East Port Medway. There are currently three (3) addressable properties accessed by the right-of-way. The first road name choice being "Cahoon Lane".

The Region's Policy respecting Naming and Renaming of Roads sets out that:

At the request for a road (private or public) name change or the naming of an unnamed road, a petition (Schedule "A") must be submitted by the owner of the road. However, if no specific owner can be determined, a petition signed by seventy percent (70%) of the persons that own land abutting the road may be submitted. This includes owners of both developed and vacant land on the road.

Staff mailed out the petition to all land owners abutting the ROW. The owners of eight of the eleven abutting properties were in agreement with the Cahoon Lane road naming (72.7%).

Cahoon Lane is acceptable to the Planning and Development Department, as no same or similarly named road exists in Queens County. Refer to map below. This new road will be classified as a private road.



Applicable Legislation

Region of Queens Municipality *Policy Number 6 – Naming and Renaming of Roads.*

Budget Impacts

Costs to purchase and install the signage is approximately \$200, which is provided for in the 2021 / 2022 Planning budget.

Recommendation

THAT Council of Region of Queens Municipality approve the naming of an existing right of way off Highway 331 in East Port Medway as Cahoon Lane.

Communication

The applicant and all abutting property owners will be advised of Council's decision.

Myles Harlow

From: Todd D <
Sent: Thursday, July 7, 2022 2:06 PM
To: Myles Harlow
Subject: Re: Proposed Road Name - East Port Medway
Attachments: image001.jpg; Petition - Todd Eldershaw.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originates from outside the organization. Do not open attachments or click links unless you are sure this email comes from a known sender and you know the content is safe

Hi Myles, hope things are well, I have no objection to the proposed name change to Cahoon Lane.

Cheers

Todd

Sent from my iPhone

On Jul 7, 2022, at 9:15 AM, Myles Harlow <mharlow@regionofqueens.com> wrote:

Mr. Eldershaw,

I'm reaching out to you regarding naming the road that accesses your property in East Port Medway. Your brother James gave me your email address. James proposed that the name of the road be "Cahoon Lane" after the original land owners. So, I have been mailing out a petition as we need 70% of the land owners abutting the road to agree for the name to pass. As it stands we are one signature away from approval. Can you please review the attached letter and either sign the petition if you are in agreeance and return it to me or simply respond to this email with your decision.

Thanks, have a great day!

Myles

Myles Harlow
Planning & Development Technician
Region of Queens Municipality
249 White Point Road
Liverpool, NS B0T 1K0
t: 902.354.3455
regionofqueens.com

SCHEDULE "A"

PETITION

We, the undersigned property owners in the Region of Queens Municipality realizing the importance of the necessity of having a Civic Addressing System, request that the road along which our properties lie become officially recognized as:

First Choice Name: Cahoon Lane ✓

Second Choice Name: Mary's Lane

Third Choice Name: _____

Further contact may be made to:

Name: _____

Address: (Civic and Mailing) _____

Telephone: _____

ASSESSED OWNER	CIVIC NO.	MAILING ADDRESS
Craig Conrad		Higginson Queens County N.S.

100-10
#

Myles Harlow

From: [redacted]
Sent: Monday, June 6, 2022 5:04 PM
To: Myles Harlow
Subject: Re: Proposed Road Name

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originates from outside the organization. Do not open attachments or click links unless you are sure this email comes from a known sender and you know the content is safe.

Hi Myles,

We are in agreement with the proposed name "Cahoon Lane" in order to receive our civic number.

Thanks!

Todd & Lori Nickerson

Region of Queens Municipality Staff Report

7.2

To: Council

From: Mike MacLeod, Director of Planning and Development

Date: September 13, 2022

Re: Fees for Planning Services

Background

Region has established a policy respecting fees for certain processes or services provided by the Planning and Development Department. Specifically, this policy establishes fees for amendments to the municipal planning strategy (MPS) and / or land use bylaw (LUB), development agreement process, subdivision approval, development permit applications, zoning confirmation letters, variance requests, copies of the various planning documents and copying of plans and maps.

Discussion

This policy is not intended to be a significant source of revenue generation for the Municipality, but to offset some of the costs associated with provision of these services. While the fees structure in the proposed amended policy has not changed significantly, staff feel that the changes are necessary. Current Policy was adopted by Council on November 21, 2011.

For processes like amendments to the MPS and / or LUB and development agreement applications, the fee (deposit) is strictly the cost of carrying out the process and any outstanding balance gets returned to the applicant. If the costs are more than the initial deposit; however, the applicant is responsible for the additional cost. The majority of the costs for these processes is in the required advertising, which have been increasing over the last few years.

The newly adopted MPS and LUB have incorporated a new planning tool for its development approval process, known as a site plan. This is a planning process, where a proposed development must meet additional criteria to obtain a development permit, but does not require the complex and time consuming process of a development agreement. The current policy does not recognize this process.

Revised policy is attached as Appendix A.

Applicable Legislation

Part III of the Municipal Government Act and Region of Queens Municipality *Policy Number 7 – Fees for Planning Services*.

Recommendation

That Council of Region of Queens Municipality approve Operational Policy Number 7 – Fees for Planning Services.

General Statement of Policy:

7.01 It shall be the policy of Region of Queens Municipality to have guidelines for advertising deposits for rezonings, text amendments, development agreements and variances, and fees for other services provided by the Planning and Development Department.

Policy Regulations:

7.02 The fee for amendments to a planning document shall be the actual cost of advertising, printing of materials and postage as required by the *Municipal Government Act*. Applications for a rezoning or amendment to a planning document shall be accompanied by a deposit of \$750.00. Should the actual costs associated with these processes be greater than the deposit, then the applicant shall be responsible for the outstanding balance. However, if the actual costs are less than the deposit, then the Municipality shall refund the balance to the applicant.

7.03 The fee for a development agreement or substantive amendment to a development agreement, shall be the actual cost of advertising, printing of materials, postage and registry fee as required by the *Municipal Government Act*. Applications for a development agreement shall be accompanied by a deposit of \$850.00. Should the actual costs associated with this processes be greater than the deposit, then the applicant shall be responsible for the outstanding balance. However, if the actual costs are less than the deposit, then the Municipality shall refund the balance to the applicant.

7.04 The fee for applications for subdivision approval shall be \$100.00.

7.05 The fee for a development permit application shall be \$10.00.

7.06 The fee for a zoning confirmation letter shall be \$25.00 per parcel of land.

7.07 The fee for processing a variance application, as described in the *Municipal Government Act*, shall be \$25.00.

Policy Number – 7
Policy Subject / Title – Fees for Planning Services

Page 2 of 3

- 7.08 The fee for a site plan approval application, as described in the *Municipal Government Act*, shall be \$25.00.
- 7.09 The fee for a copy of a specific Municipal Planning Strategy and Land Use Bylaw shall be \$25.00.
- 7.10 The fee for a copy of the Region's Subdivision Bylaw shall be \$10.00.
- 7.11 The fee for a copy of the Region's Municipal Services Specification Manual shall be \$10.00.
- 7.12 Copies of all other planning documents not specifically covered by this policy and available at the Region's Planning and Development Department shall be \$5.00 per document.
- 7.13 The fee for photocopies of large maps or plans shall be:
- (i) \$5.00 for copies less than 91.4 cm (36") in length; or
 - (ii) \$10.00 for copies greater than 91.4 cm (36") in length
- 7.14 The fee for colour large format colour printing, utilized for mapping or planning purpose, shall be:
- (i) \$10.00 for copies less than 91.4 cm (36") in length; or
 - (ii) \$10.00 + \$1.00 per lineal foot exceeding 91.4 cm (36") in length
- 7.15 The fee for photocopies of maps up to 27.94 cm (11") 43.18 cm (17") shall be \$1.00 per photocopied page.
- 7.16 Custom maps prepared by the Planning and Development Department, 91.4 cm (36") by 91.4 cm (36"), shall be \$25.00.
- 7.17 The fee to scan large maps or plans to a digital file shall be \$10.00. Customer to supply own portable storage device.

Policy Number – 7
Policy Subject / Title – Fees for Planning Services

Page 3 of 3

Policy Procedure (for Sections 7.02, 7.03, 7.04, 7.05 and 7.06):

- 7.18 The applicant is required to fill out the appropriate Region of Queens Municipality's Application form or a letter requesting a particular planning department service, accompanied by a cheque in the appropriate amount. No requests will be processed prior to the payment of fees in total.
- 7.19 The applicant may revoke his / her application at any time during the process and any fees incurred until that time will be payable to the Region. A refund will be given for any fees not incurred prior to the date of the application being revoked.

Approved by Council:

Region of Queens Municipality Staff Report

Item 7.3

To: Council

From: Eric Levy, Municipal Clerk and Diversity Coordinator

Date: September 13, 2022

Re: Pool Committee

Background

At the July 12th Council meeting, council established and appointed Councillor Amirault and Councillor Fancy to a Pool Committee. Shortly thereafter, an advertisement was made on the Region of Queens Municipality website and social media asking for interested members of the public to serve on the committee. Also, the Queens Community Aquatics Society was asked to recommend two of their members to sit on the committee.

Details

Since the establishment of the committee, a number of people expressed interest in sitting on the committee. Below is a list of names and the volunteered credentials they expressed.

Name	Community	Expressions of Interest
Peter Ripple	Liverpool	
Laura Fryday	Liverpool	Interested in an indoor, accessible pool

Jessica Freeman	Milton	
Andrew Cross	East Berlin	
Caitlin Nickerson	Milton	National lifeguarding certified and swim coach
Sandra Cross	East Berlin	Pool user at White Point. Has strong opinions about location of the pool
Ann Doggett	Brooklyn	Worked at Milton Pool in 70s and 80s and for City of Toronto Aquatics
Ashley Saulnier	Liverpool	President of local swim team
Ariel Bissett	Milton	Milton pool user
Leslie Claney		Previous lifeguard and swim instructor. Has experience with pools as a health care tool
Jeff Waugh	Brooklyn	New resident, frequent pool user in Halifax
Marie Barnes		
Kathy Parlee		Involved with Milton pool. Daughters on Dambusters
Lezlie Armstrong	Liverpool	Former lifeguard at Milton pools. Ran aquatics program in Miramichi district 16. Degree in Recreation Management from Acadia University. Experience in facility design.

The Queens Community Aquatics Society have recommended Deborah Spartinelli and Sandi Muise to be representatives on the Pool Committee



Applicable Legislation

Municipal Government Act 24(1) states: "The council may establish standing, special and advisory committees."

Budget Impacts

The budgetary impacts of this recommendation include associated costs for travel and meeting spaces.

Recommendation

THAT Council of Region of Queens Municipality appoint Deborah Spartinelli and Sandi Muise to the Pool Committee effective October 1, 2022.

AND THAT _____ and _____ from the public be appointed to the Pool Committee effective October 1, 2022.

Communications

The appointed members will be contacted via email or letter of their appointment by the Municipal Clerk, and any other associated publications on Region of Queens Municipality website and social media will be carried out.

Region of Queens Municipality Staff Report

Item 7.4

To: Council

From: Eric Levy, Municipal Clerk and Diversity Coordinator

Date: August 9, 2022

Re: Human Resource Policy Employee Handbook


Background

Region of Queens Municipality currently has a large set of policies divided into three categories online: Personnel Policies, Operational Policies, and Administrative Policies. When the Diversity and Inclusion Coordinator position was created, part of that role was to conduct a policy review to analyze policies, programs, and practices with a diversity and inclusion lens, as well as to propose more current policies and practices when possible. When this position was restructured, this role of policy review was given to the Municipal Clerk and Diversity Coordinator.

As an initial step in this review of all municipal policies and bylaws, a new Human Resource Employee Handbook has been created to update and replace the existing Personnel Policies, many of which were twenty years old.

Details

The Human Resource Policy Employee Handbook was researched and drafted between March 2021 and January 2022.



A review committee of staff and Councillors was created in the winter of 2002 to review and discuss the applicability and potential effectiveness of the drafted policies within Region of Queens Municipality as a workplace. Over five meetings and approximately 15 hours of review and discussion, the policies were refined and edited.

Once reviewed by the committee, the policies were further reviewed by the Chief Administrative Officer, Directors, and Municipal Clerk and Diversity Coordinator, who spent up to another 10 hours discussing the proposed policies.

Some of the more significant changes in the proposed handbook include:

- Removal of associated forms from the policies themselves to allow for flexibility in the implementation of the policies. Should a process for implementing a policy be determined to be ineffective, housing forms outside of the policies allows management to swiftly adjust organizational practice while maintaining the integrity and intention of the policy.
- Addition of several policies, for example:
 - Equity, Diversity, and Inclusion
 - Definition of Employee Status
 - Employment Equity
 - Offboarding
 - Workplace Accommodation
 - Flexible Work Arrangements
 - Employee Code of Conduct
- Significant update to policies to current Human Resource practices and to create and maintain a more inclusive work environment including expansions on parental leaves, bereavement and compassionate care, employment and hiring practices, and years of service recognition.
- Movement, expansion, or consolidation of some current policies to become Human Resource Policies:
 - Joint Occupational Health and Safety
 - Years of Service Recognition
 - Training and Development
 - Substance Abuse Prevention
 - Inclusive and Respectful Workplace
 - Harassment Free Workplace



Applicable Legislation

Section 47 of the *Municipal Government Act* states:

- (1) The council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

Budget Impacts

There are no anticipated budgetary impacts in the adoption and implementation of these policies.

Recommendation

THAT Council of Region of Queens Municipality adopt the policies set out in the Region of Queens Municipality Human Resource Policy Employee Handbook dated August 10, 2022.

**Region of Queens Municipality
Staff Report**

7.5

To: Council

From: Mike MacLeod, Director of Planning and Development

Date: September 13, 2022

Re: Automobile Repair Shop by Development Agreement – 16 Edward St., Milton

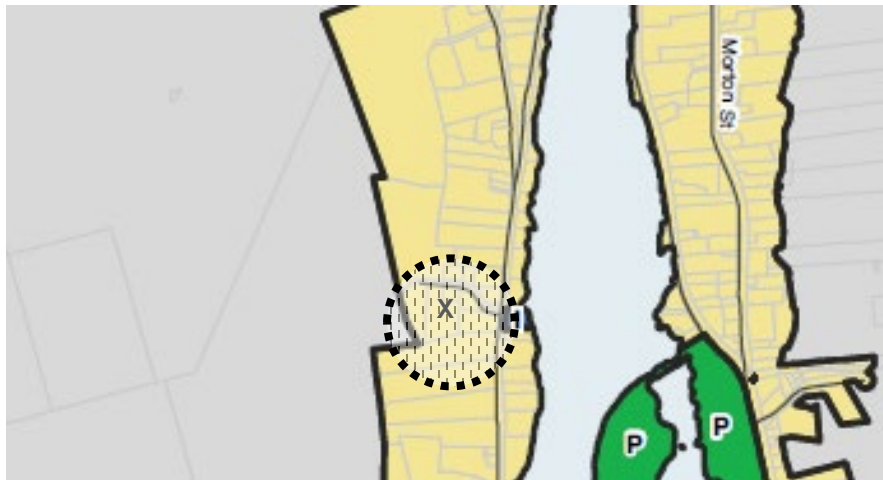
Background

Region of Queens Municipality has received an application to enter into a development agreement that would allow for an automobile repair shop on property identified as PID#'s 70071782, 70261383 and 70071816 and located at 16 Edward Street in Milton. A copy of the application is attached as Appendix A.

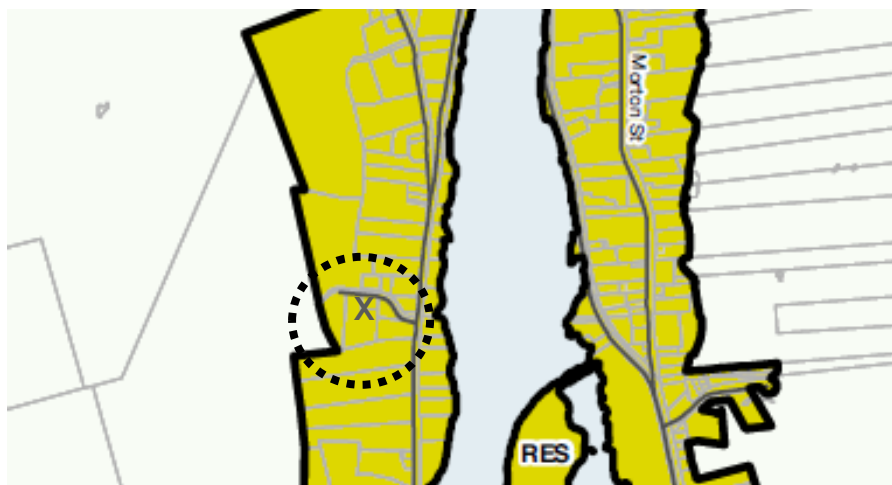


Details

The properties are zoned as General Residential (RG) under the Land Use Bylaw and have a future land use designation of Residential (RES) under the Municipal Planning Strategy.



Zoning Map 1



Generalized Future Land Use Map 1

An automobile repair shop is a use that is not permitted as of right in the General Residential (RG) Zone. This being said; however, Council has incorporated provision within the Land Use Bylaw whereby it can consider such uses through a development agreement process.

Commercial and Industrial Uses in Urban Serviced Residential Zones

	RL	RG	RM	RC	SPECIAL REQ's
Automobile Repair Shop	-	DA	-	-	
Convenience Store	-	-	-	P	S10.11 (c)
Day Care Centre	P	P	P	P	
Funeral Home	-	DA	-	-	
Kennel	-	DA	-	-	
Self Storage Facility	-	DA	-	-	

P = permitted | S = site plan approval | DA = development agreement

When evaluating development agreements, Council must be cognizant of the overall goals and policies of this MPS. In particular, it should have regard to the criteria listed in Policy 6-21.

- Policy 6-21:** Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal:
- (a) is consistent with the intent of this Municipal Planning Strategy;
 - (b) does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the municipality;
 - (c) is not premature or inappropriate due to:
 - (i) the ability of the Municipality to absorb public costs related to the proposal;
 - (ii) impacts on existing drinking water supplies, both private and public;
 - (iii) the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
 - (iv) the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - (v) the adequacy of fire protection services and equipment;
 - (vi) the adequacy and proximity of schools and other community facilities;
 - (vii) the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;
 - (viii) site-specific climate change risks;
 - (ix) the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;
 - (ix) *impacts on known habitat for species at risk;*
 - (x) *light pollution and impacts on dark sky views, especially in the vicinity of the Kejimikujik Dark-Sky Preserve;*
 - (xi) *the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way; and*
 - (xiii) *negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.*

The Municipal Planning Strategy also establishes a list of conditions that may be incorporated in a development agreement.

Policy 6-15: *Council may specify conditions in the development agreement to bring the proposal into alignment with the enabling policy and the general criteria set out in Policy 6-21. Such conditions may include, but are not limited to, controls regarding:*

- (a) *servicing;*
- (b) *the type, location, and orientation of structures;*
- (c) *the architectural design of structures, including, but not limited to, bulk, scale, height, roof shape, building and cladding materials, and the shape and size and placement of doors and windows;*
- (d) *the provision of open space and amenities;*
- (e) *the type, size, and location of signage;*
- (f) *the type and orientation of exterior lighting;*
- (g) *management of solid waste, compost, and recycling;*
- (h) *pedestrian, bicycle, and vehicular circulation;*
- (i) *connections to existing or planned pedestrian, bicycle, and vehicular networks;*
- (j) *the location and number of bicycle and vehicular parking and loading spaces;*
- (k) *access for emergency vehicles;*
- (l) *the location and type of landscaping, including fences and other forms of screening;*
- (m) *stormwater management;*
- (n) *grading and erosion control;*
- (o) *the emission of noise, odour, light, liquids, gases, and dust;*
- (p) *the type of materials stored and/or sold on site;*
- (q) *hours of operation;*
- (r) *the phasing of development;*
- (s) *financial bonding for the construction and maintenance of components of the development, including, but not limited to, roads and landscaping;*
- (t) *mitigation measures for construction impacts;*
- (u) *time limits for the initiation and/or completion of development; and*
- (v) *all other matters enabled in Section 227 of the Municipal Government Act.*

The process for entering into a development agreement is set out in Section 230 of the Municipal Government Act and requires a public hearing process prior to Council making a decision.

Adoption or amendment of development agreement

- 230 (1) A council shall adopt or amend a development agreement by policy.
- (2) A council shall hold a public hearing before approving a development agreement or an amendment to a development agreement.
- (3) Only those members of the council present at the public hearing may vote on the development agreement or the amendment.
- (4) Upon approving a development agreement or an amendment to a development agreement, the clerk shall place a notice in a newspaper circulating in the municipality stating that the development agreement is approved and setting out the right of appeal.
- (5) The clerk shall file a certified copy of a development agreement or amendment with the Minister when notice of the development agreement or an amendment to it is published.
- (6) Within seven days after a decision refusing to approve a development agreement or an amendment to a development agreement, the clerk shall notify the applicant in writing, giving reasons for the refusal and setting out the right of appeal.
- (7) Amendments to those items in a development agreement that the parties have identified as not substantive, if the substantive items were identified in the agreement, or that were not identified as being substantive, do not require a public hearing. 1998, c. 18, s. 230; 2003, c. 9, s. 60.

Considerations

- PID#'s 70071782, 70261383 and 70071816 have a combined area of approximately 110,000 square feet, with approximately 215 feet of frontage on Edward Street.
- The area is predominantly a low density residential neighbourhood.
- While there are no municipal record showing it, both the current owners and the previous owners have indicated that the properties were previously used for an auto body / auto repair business. Refer to letter attached as Appendix B.
- There is an existing personal storage building located on the property which is intended to be utilized for the automobile repair shop.
- The proposed operation is approximately 150 feet from closest dwelling (civic # 15 on the north side of Edward Street).
- PID# 70261383 is primarily a wooded parcel and provides a good buffer between subject property and adjacent property to the south east (70071717).
- Edward Street is and owned and maintained provincial public road.
- Existing access to the property to be utilized.
- No municipal services in vicinity of subject properties. Existing on-site septic and dug well.

- There are no wetlands or watercourses in the vicinity of the proposed operation.
- Applicants have submitted letters of support from property owners at #11 and #15 Edward Street Refer to Appendix C.

Potential Options

1. Maintain status quo (deny development agreement request); or
2. Enter into a development agreement with Samantha Corner and Robie Leigh Murphy to allow for the establishment of an automobile repair shop on properties identified as PID#70071782, 70261383 and 70071816 and located at 16 Edward Street in Milton.

Tentative Timeframe

<u>Date</u>	<u>Procedure</u>
September 6, 2022	Planning Advisory Committee
September 13, 2022	Council
September 20, 2022	First Public Notice
September 27, 2022	Second Public Notice
October 11, 2022	Public Hearing
October 11, 2022	Council
October 18, 2022	Notice of Passing
November 2, 2022	Appeal Period Ends

In looking at the use that is being proposed for the property, the property itself and the surrounding area, it is the opinion of Staff that sufficient terms and condition can be incorporated into a development agreement to meet the needs of the applicant and also to mitigate potential issues that the operation may have on the surrounding area. It would be Staff's recommendation that a development agreement include provisions respecting, but not limited to:

- Off-street parking
- Maintenance of a vegetative buffer with abutting residential properties
- Outdoor storage
- Outdoor lighting
- Hours of operation

A draft copy of the development agreement and Policy respecting the development agreement have been prepared for discussion purposes and is attached hereto as Appendix D.

The Region's Planning Advisory Committee (PAC) met on September 6, 2022 to review the application and the proposed use of the property. In review of the draft development agreement, it was suggested that; given the residential nature of the neighbourhood; operation should be limited to Monday to Saturday. Following additional discussion on the implications of the proposed use of the property, PAC recommended in favor of entering into a development agreement to allow for an automobile repair shop on properties located at 16 Edward Street in Milton.

A draft copy of the Policy respecting the development agreement has been prepared for discussion purposes and is attached hereto as Appendix E.

Applicable Legislation

Municipal Government Act.

Recommendation

That Council of Region of Queens Municipality give notice of its intention to enter into a development agreement with Samantha Corner and Robie Leigh Murphy to allow for an automobile repair shop on properties identified as PID# 70071782, 70261383 and 70071816 and located at 16 Edward Street in Milton;

And That a Public Hearing be held on October 11, 2022 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 9:00 a.m.



Appendix A

For Internal Use Only

Acceptance Date: _____

Processing Date: _____

Region of Queens Municipality

Planning Amendment and Development Agreement Application



1. Application Type:

- Land Use Bylaw Amendment
- Development Agreement

2. Property Information:

Civic address of subject property - 116 Edward Street

Property Identification Number (PID) - 700711782 (Home) 70261383 + 70071316

Present use of subject property - Residential (land around property we own)

Proposed Use of subject property - Commercial

Existing Lot Size - 13000 + 110,000 Ft² (3 parcels)

Existing Lot Frontage - 70261383 + 70261383

3. Property Owner Information:

Name - Samantha Corner & Robie Leigh Murphy

Applicant is:

- Owner
- Agent of Owner

Civic Address - 116 Edward Street, Milton NS

Mailing Address (If different from Civic Address) - _____ NS

Telephone Number - (902) _____ (902) _____

Email Address - _____

4. Zoning Information:

Existing Zoning - Residential

Proposed Zoning - Commercial

5. Property Servicing Information:

Water Services –

- Municipal System - Existing Proposed
- Drilled Well - Existing Proposed
- Dug Well - Existing Proposed
- Other - _____

Sewer Services –

- Municipal System - Existing Proposed
- On-site System - Existing Proposed
- Other - _____

Access –

- Public Road - Existing Proposed
- Private Road - Existing Proposed
- Other - _____

6. Declaration:

- Registered Owner of Property (Please print)

I / We Samantha Corner & Robie Leigh Murphy do solemnly declare that I / We are the current registered owner(s) of the property described in this application. I / We have examined the contents of this application and certify that the information submitted is accurate.

Registered Owner Samantha Corner

Signature _____

Date Jan 31, 22

Registered Owner (if more than one) Robie Leigh Murphy

Signature _____

Date Jan 31, 22

- Authorization of Registered Owner (Please print)

I / We Samantha Cornejo Robu Murphy authorize _____
To act as agent and sign this application on my / our behalf for property located
at
(Civic Address) 16 Edward Street and identified as PID# 70571782

Notes:

1. The requirements of a Land Use Bylaw amendment or development agreement application are established by the Planning Department of the Region of Queens Municipality. An application approval process will not commence until a completed application and advertising deposit are received.
2. Please make cheques payable to the Region of Queens Municipality. Following completion of the amendment process, the unused balance will be returned to the applicant. However, should the deposit be insufficient to cover the cost of advertising, the applicant will be responsible for the difference.
3. It is recommended that an applicant have a pre-consultation meeting with staff of the Planning Department prior to submitting this application.

HillTop Tire and Lube

Mission Statement

Hilltop Tire and Lube is here to provide exceptional automotive services in and around the surrounding area of Queens County. We have spent months designing the new business patiently awaiting this change to change the land zoning from Residential to Commercial. I will provide the community with tire service and repairs, oil changes, undercoating and auto detailing. Vehicles have always been my passion and I want to be able to provide my customers with lower pricing and great service. I offer free pick up and drop off within Queens County and flexible hours working evenings and weekends. The location of the business is on a small road where all neighbors are very excited for this new business venture. Attached are letters from close neighbors showing support.

Business Structure

This business will be a sole proprietorship as I will be working on my own having no other employees or overhead as the business will be running out of a fully ready garage on our property.

Operation Plans

The business will be located at 16 Edward St., Milton Nova Scotia. We have a large amount of spacing approximately 75 ft x 40 ft for parking fitting approximately 14 cars. The garage where work will be done is 36 ft x 32 ft and the other side is 36 ft x 20 ft. We are approximately two minutes outside of town and it's very accessible for all of Liverpool and Queens.







Appendix B

Dec 2/22

To Whom it may Concern.
This letter is to hopefully help
Town Council decide to change property
at 16 Edward St. from residential to
Commercial. Myself + Ross who've lived
at this location for 50yrs, when garage
was built in 1980 the property was Commercial
as Ross did body work from location.
When he retired it was back to residential
San Come + Leigh Murphy bought property
2020 with hopes of opening their own
business. I know this would not be an
issue to any of the neighbors. This
beautiful young family moved here with
hopes of raising their family, they are
not asking for hand outs they just
want to open a business, which would
benefit the Region in Taxes, that's all.

Ross + Heather Wynal
902 685-3355
902 350-1593

Appendix C

To whom it may concern,

I have owned the home on 15 Edward Street since July 2011. I understand from my neighbours Samantha Corner and Leigh Murphy they are trying to change the property type so they can run a business.

I know from past conversations, 16 Edward Street used to be a business property and has since changed. I realize my new neighbors are attempting to change it back to business. This is not an issue for myself. If any further questions happen to come up, please do not hesitate to reach out.

Thank you

Alana Dowling Jan 31/2022

902-350-6585

To whom this my concern;

I have lived at #11 Edward St. For 57 yrs;

It is my understanding that the owners of #11 Edward St. are looking to open up a Auto Motive Service business in the garage on their property.

This business doesn't effect our location by any means, and we are very supportive of the business that is being offered, our community needs this also.

Not only have I lived on this street my entire life, but my mother, Emily Fralic has also lived 2 doors down on this Street, for 87 yrs. She is also very much in support of this new business and all its potential for great success.

If you have any questions please don't hesitate to call me.

902 350 3321

Sincerely

Alan White

902 354-4251

Emily Fralic

Appendix D

THIS AGREEMENT made this d , A.D., 2022.

BETWEEN:

SAMANTHA CORNER and **ROBIE LEIGH MURPHY** of Milton, in the County of Queens and Province of Nova Scotia, hereinafter referred to as the "Developers"

OF THE ONE PART

-and-

REGION OF QUEENS MUNICIPALITY, a municipal corporation, duly incorporated under the laws of the Province of Nova Scotia and having its office in Liverpool in the County of Queens and Province of Nova Scotia, hereinafter referred to as the "Region"

OF THE SECOND PART

WHEREAS the Developers have requested that the Region enter into a Development Agreement, pursuant to Sections 225 and 230 of the Municipal Government Act of Nova Scotia, and Policy 5-9 of the Region's Municipal Planning Strategy, so that the Developers may use the subject properties in a manner which is not presently provided for under the Region's Land Use Bylaw;

AND WHEREAS the Region is prepared to enter into such an agreement on the terms and conditions hereinafter set forth;

NOW THEREFORE, in consideration of the benefits, which flow to both parties as a result of the covenants contained herein, the parties hereto agree by and between themselves as follows:

1. **THAT** the Developers are the registered owners of the Lands identified as PID# 70071782, 70261383 and 70071816 and shown on Schedule "A" attached hereto, (hereinafter referred to as "the Lands");
2. **THAT** the Developers shall not develop or use the Lands, including buildings located on the lands, for purposes other than those described in this Agreement;
3. **THAT** the proposed uses permitted under this Development Agreement are the following:
 - a) Automobile repair shop; and
 - b) General Residential (R2) Zone Uses
4. **THAT** any outdoor storage of materials shall be screened from view by an opaque fence;

5. **THAT** the Developers shall provide a minimum of six (6) off-street parking space for the commercial business;
6. **THAT** the proposed parking area shall be maintained with a stable surface, that is treated to prevent the raising of dust or loose particles;
7. **THAT** any lighting for proposed parking area shall be directed away from abutting properties;
8. **THAT** a vegetative buffer be maintained at all times between the Lands and the adjacent property to the south east (70071717);
9. **THAT** the hours of operation for the automobile repair shop shall be from 7:00 am to 7:00 pm;
10. **THAT** notwithstanding any other provisions of this Development Agreement, the Developers shall not undertake or carry out any development on the Lands which does not comply with:
 - (a) this Development Agreement;
 - (b) any statutes and regulations of the Province of Nova Scotia to the extent that the same are properly the subject of a development agreement; and
 - (c) appropriate Municipal Bylaws, including without restricting the generality of the foregoing, the Bylaw Respecting the Building Code Act.
11. **THAT** in the event of a dispute, the decision of the Development Officer of the Region as to whether the development is in conformance with the terms of this Agreement shall be conclusive;
12. **THAT** notwithstanding the provisions of the Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw, the Developers shall be permitted to seek substantial or non-substantial amendments to this Development Agreement, subject to the procedure as set forth in Section 230 of the Municipal Government Act of Nova Scotia;
13. **THAT** amendments which shall be considered substantial are any affecting the following:
 - (a) A change in the uses permitted;
 - (b) Any increase in the size of the building utilized for commercial purposes
14. **THAT** any amendment whether substantial or otherwise must be approved by both parties in writing;

15. **THAT** the Developers agrees to pay for all legal costs, advertising and expenses incurred by the Region that have originated from its application for this Development Agreement;
16. **THAT** this Agreement shall be binding upon the parties hereto, their heirs, successors and assigns and shall run with the land which is subject to this Agreement;
17. **THAT** this Agreement is not assignable without the written consent of the Region;
18. **THAT** enforcement and rights and remedies on default of this Agreement shall be as follows:
 - (a) The Developers agree that the Development Officer appointed by the Region to enforce this Agreement shall be granted access onto the lands during all reasonable hours without obtaining consent of the Developers. The Developers further agree that, upon receiving written notification from the Development Officer to inspect the interior of any building located on the lands, the Developers agree to allow for such inspection during any reasonable hour within two (2) days of receiving such notice.
 - (b) If the Developers fail to observe or perform any condition of this Agreement, after the Region has given the Developers thirty (30) days written notice of the failure or default, then in each such case:
 - (1) the Region shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developers from continuing such default, and the Developers hereby submit to the jurisdiction of such Court and waive any such defense based upon the allegation that damages would be an adequate remedy;
 - (2) The Region may enter upon the lands and perform any of the covenants contained in this Agreement, whereupon all reasonable expenses whether arising out of the entry on the lands or from the performance of the covenants may be recovered from the Developers; if unpaid within 30 days of billing by the Region; by direct suit and such amount shall, until paid, form a lien upon the lands and be shown on any tax certificate issued under the Municipal Government Act;
 - (3) The Region may by resolution discharge this Agreement, upon providing the Developers sixty days (60) written notice, whereupon this agreement shall have no further force or effect and henceforth the development of the lands shall conform with the provisions of the Region of Queens Municipality Land Use Bylaw;

- (4) In addition to the above-mentioned remedies, the Region reserves the right to pursue any other remediation under the Municipal Government Act or common law to ensure compliance with this Agreement.

19. **THAT** the entering into of this Agreement was approved by the Council of the Region of Queens Municipality at a duly held meeting of Council convened on the _____ day of _____, 2022.

- (a) This Agreement shall not be entered into, or signed by the parties, until the time for Appeal under Section 228 of the Municipal Government Act of Nova Scotia has elapsed, any appeals which have been lodged have been disposed of and the required resolution of Council has been affirmed by the Nova Scotia Utility and Review Board;
- (b) This Agreement does not come into effect until it is filed, by the Region of Queens Municipality, in the Registry of Deeds as set out in Section 228 of the Municipal Government Act of Nova Scotia.

IN WITNESS WHEREOF the parties have hereto set their hands and affixed their Corporate seals the day and year first above written.

SIGNED, SEALED AND DELIVERED

in the presence of

_____)	
)	
)	Per: _____
Witness)	Samantha Corner
)	
)	Per: _____
_____)	Robie Leigh Murphy
Witness)	

) **REGION OF QUEENS MUNICIPALITY**

)	
)	
)	Per: _____
)	Mayor
)	
_____)	Per: _____
Witness)	Municipal Clerk

**PROVINCE OF NOVA SCOTIA
COUNTY OF QUEENS**

ON this ____ day of _____, 2022, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that Samantha Corner and Robie Leigh Murphy signed, sealed and delivered the same in his/her presence.

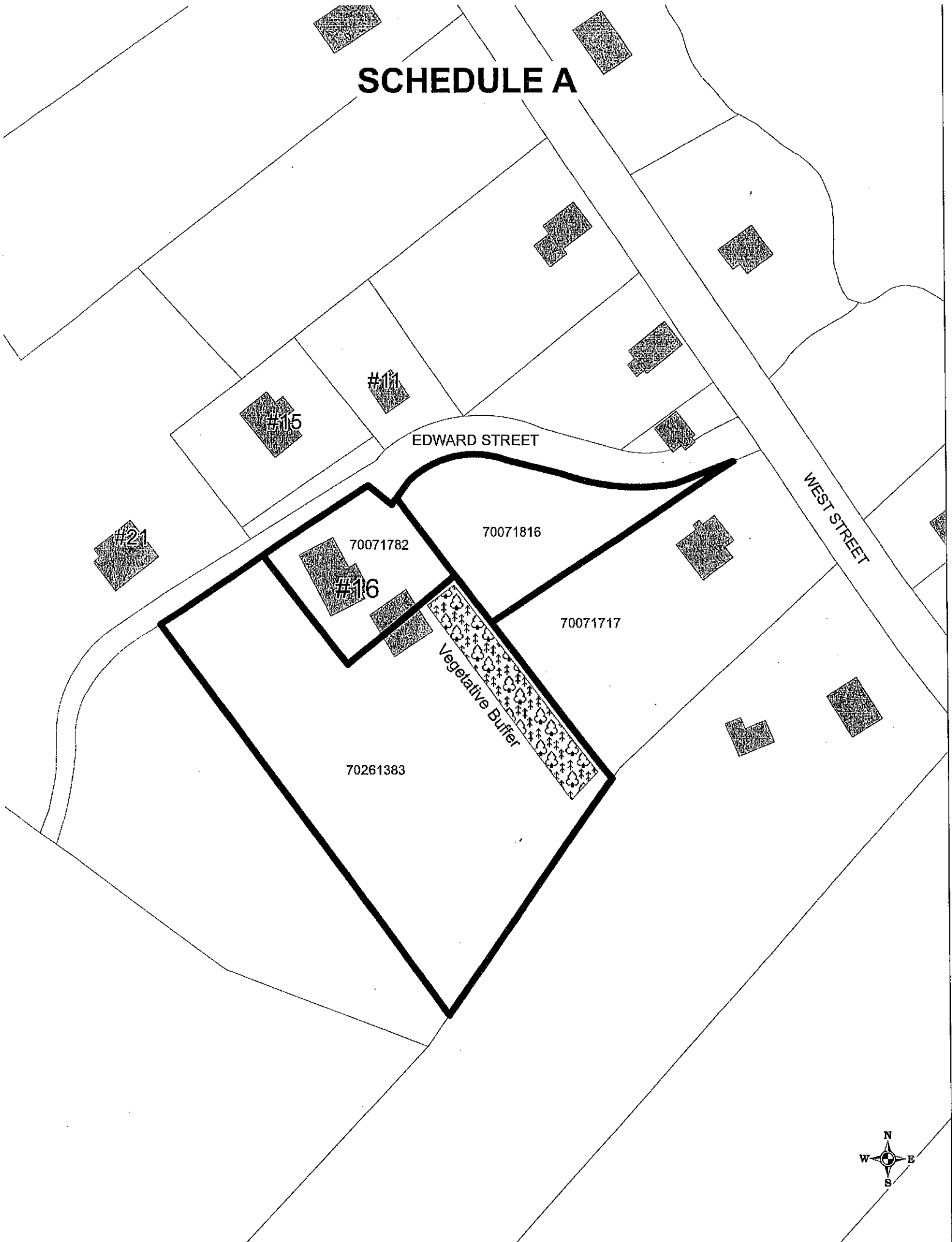
A Commissioner of the Supreme Court of Nova Scotia

**PROVINCE OF NOVA SCOTIA
COUNTY OF QUEENS**

ON this _____ day of _____, 2022, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the Region of Queens Municipality, per its authorized officers, Darlene Norman and Eric Levy, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court of Nova Scotia

SCHEDULE A



Appendix E

**Region of Queens Municipality
Administrative Policy - Respecting a
DEVELOPMENT AGREEMENT for Automobile Repair Shop
At 16 Edward Street in Milton**

WHEREAS Section 230(1) of the Municipal Government Act provides that Council shall adopt a development agreement by policy;

AND WHEREAS Samantha Corner and Robie Leigh Murphy have applied for a development agreement which would allow them to establish an automobile repair shop on their properties identified as PID# 70071782, 70261383 and 70071816 and located at 16 Edward Street in Milton;

AND WHEREAS the request is permitted under Policy in Region of Queens Municipality Municipal Planning Strategy;

AND WHEREAS the Region did cause to have placed two advertisements in the Lighthouse Now on _____ and _____, giving notice of a public hearing to hear comments respecting the development agreement;

AND WHEREAS Council did hold a public hearing regarding the development agreement on _____;

THEREFORE, BE IT RESOLVED THAT the Council of the Region of Queens Municipality approve entering into a development agreement with Samantha Corner and Robie Leigh Murphy which will allow them to establish an automobile repair shop on their properties identified as PID# 70071782, 700261383 and 70071816 and located 16 Edward Street in Milton.

THIS IS TO CERTIFY THAT this Administrative Policy was passed by the Council of the Region of Queens Municipality at a duly constituted meeting of said Council held on the ____ day of _____, 2022.

MAYOR

MUNICIPAL CLERK

Appendix A

Development Proposal

Garika Park, Milton

Submitted by

Eric and Dawn Fry

May 26, 2022

Region of Queen Municipality

249 White Point Road

Liverpool, NS

Attn: Mr. Chris McNeill

Chief Administrative Officer

Dear Mr. McNeill

Thank you for your input and guidance regarding the potential sale of Garika Park to house a multi-unit, long term rental property supporting seniors. We are excited about this potential development and feel it would be an excellent addition to the community to serve residents of Milton, Liverpool and surrounding areas.

Enclosed is a proposal for an 18-unit 55+ retirement complex/community to be situated on the Garika Park location.

We look forward to any questions you might have and the feedback from the Council with respect to our proposal.

Cheers,

Eric and Dawn Fry

Fall River, NS

Background

My wife Dawn, and I own property in Queens and each year we spend more and more time here. We both feel the area has terrific appeal and lots to offer. And more potential. We've made a few investments along the way and wish to continue to invest in the Municipality.

To date we have purchased our cottage on Broad River almost 7 years ago, acquired 11 acres on Broad River from Yorke Tutty that we have since subdivided and sold 6 of 8 lots for seasonal properties and, most recently purchased a set of flats 500 meters up the coast from the Quarterdeck on that we have fully renovated and are currently renting as short-term rentals. There is adjacent property to our flats that we also own and are considering future development there sometime in the future (potential for long term rental apartment units).

In a recent conversation with Mayor Darlene Norman, we discussed the need for more long-term seniors/retirement housing. This led to additional conversations about various suitable land parcels - Garika Park was identified as a potential site.

As I understand your process, the majority of Council will need to vote in favour of selling this parcel at which time you will have it appraised by an outside consultant. As the Province currently owns part of the property, they will need to sign off on transferring the land to RQM and then it will need to be rezoned from Park usage to multi-unit residential zoning.

Proposed Development

Our development plan identified below incorporates 18 units, each with 2 bedrooms, to serve as a retirement community primarily designed for local seniors who wish to sell their homes and have a desirable place to relocate without having to leave the region.

The plan, although not completely finalized, will feature a gorgeous environment that blends in with its surroundings. Each unit will feature a private deck overlooking the Falls on the Mersey River. The site will also include a park like setting with gazebo(s), picnic tables and common areas for socializing and relaxing.

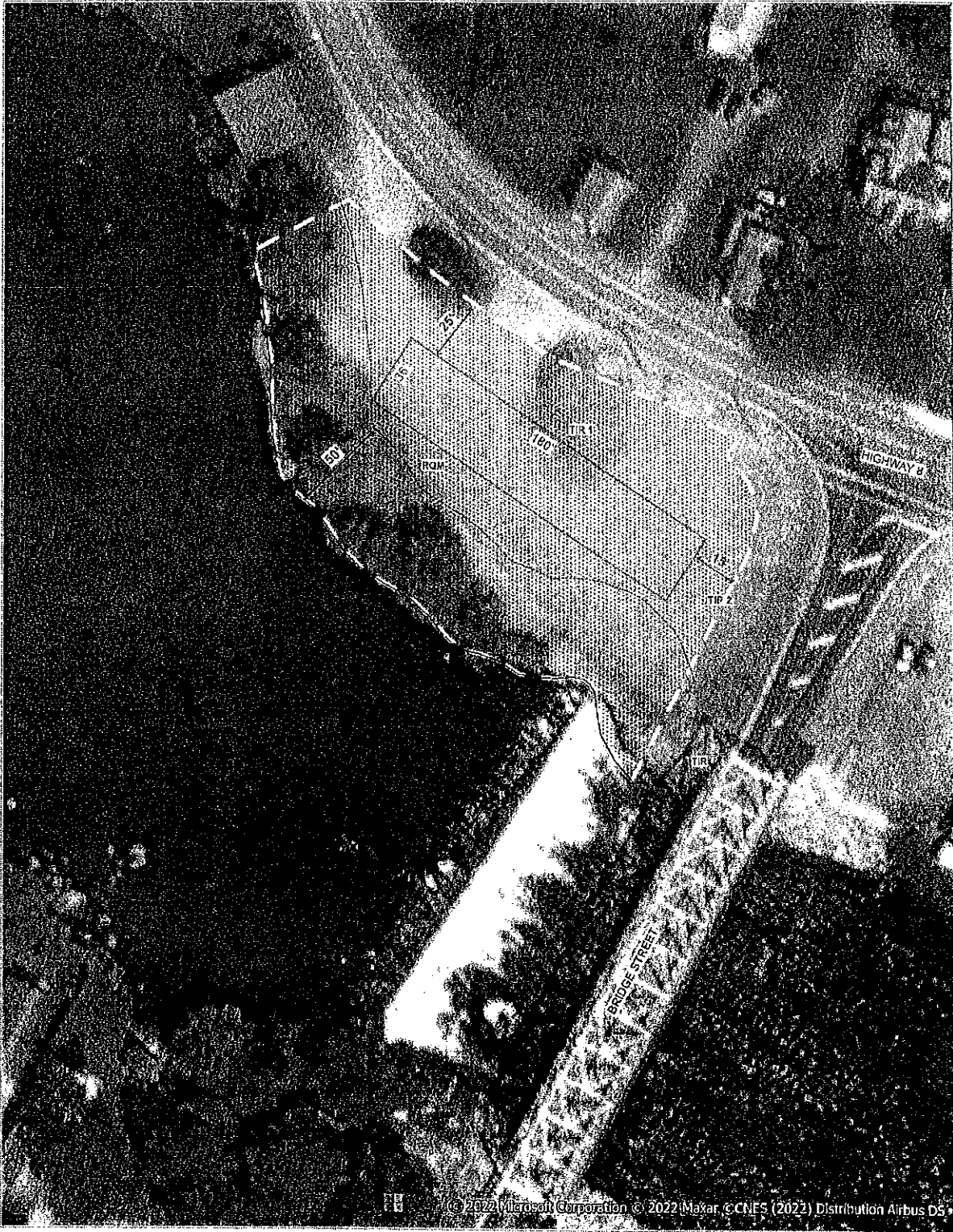
The current boat launch would be accessed by the residents as well as the general public. In addition, a ROW would ensure access to the dry hydrant currently located near the boat launch.

I am working with a local designer, Brydon Huntley, who will be creating the final drawings. The final rendering will be created once the land purchase has been approved.

I have also engaged a local builder who has a window to begin construction by late September/early October. Other suppliers (excavation, concrete, electrical and plumbing) have been lined up as well.

The following images are for illustration purposes only. I would anticipate the final plan incorporating somewhat modern but traditional finishes that will be very visually appealing.

Garika Park, Milton



Draft Rendering



Shown is a 4 story 8-unit structure (55' wide, 40' deep). Actual build will be 3 stories to ensure we are within the 50' maximum height restriction.

We are proposing 3 attached structures with the third potentially slightly angled to follow the contour of the river.

All units will be 2 bedrooms. Configuration would be adjusted to feature private decks on the back maximizing views of the river.

Central elevator.

Wooden finishes.

Total of 23 parking spaces based on ratio of 1.25 spaces per unit.

Park-like setting with picnic tables, gazebos, common areas.

We feel this will be a signature property in Milton given its styling, desirable location on the river and proximity to Liverpool.

Timetable

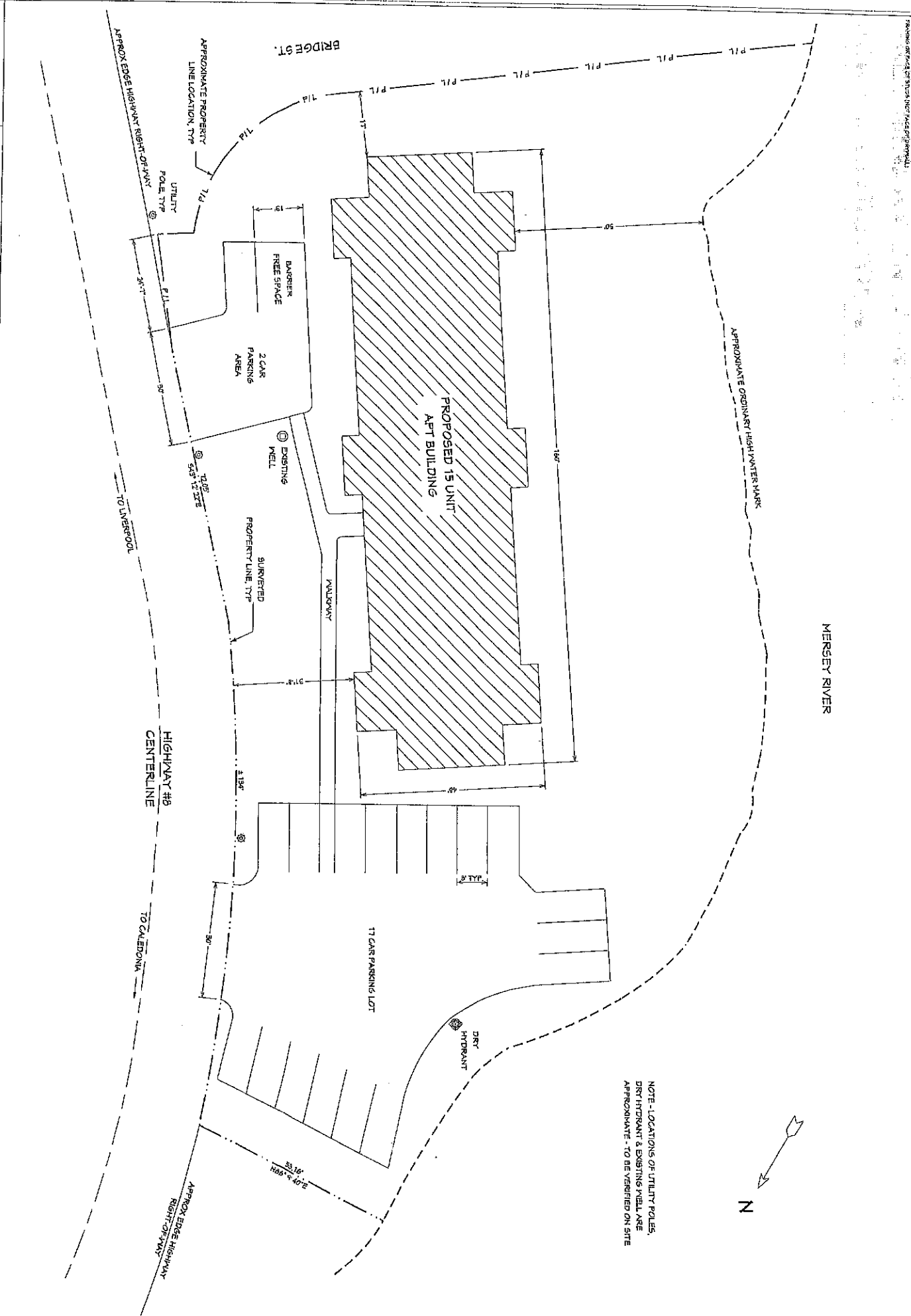
As I understand things, here is a proposed timetable for the project. I recognize that a fair bit needs to be done to get this project underway and fully respect the processes of RQM.

I would like you to know that we are fully committed to moving ahead with this project barring any unforeseen barriers:

Proposal submitted to Municipality	Today (May 26)
Council to review and approve/decline land sale	1-2 weeks
Appraisal ordered and completed	4 weeks
Provincial approval of TIR owned lands	2 weeks
Land Purchase and Sale completed	2 weeks
Land Rezoning from Park to multi-unit residential	4-6 weeks
Permits and approvals	4 weeks
Construction begins	October 1

Dawn and I look forward to hearing back from you if there is anything further you need from us before putting this to Council for approval.

NOTE: ALL DIMENSIONS ARE TAKEN FROM CENTERLINE OF PROPERTY UNLESS OTHERWISE SPECIFIED.



MERSEY RIVER



NOTE - LOCATIONS OF UTILITY POLES, DRY HYDRANT & EXISTING WELL ARE APPROXIMATE - TO BE VERIFIED ON SITE

B & L House Plans

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

2. BUILDING COSTS - ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

3. BEFORE AND DURING - ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

4. ALL HOUSE PLANS SHALL NOT BE RESPONSIBLE FOR WATER WHILE BUILT OR STRUCTURES OR ROOMS TO PROPERTY LINES.

5. CARBON MONOXIDE DETECTORS TO BE INSTALLED ON EACH LEVEL SUBJECT TO BEDROOMS AND WHERE PROXIMATE TO SLEEPING AREAS. CARBON MONOXIDE DETECTORS SHALL BE INSTALLED IN EACH ROOM AND SHALL BE MAINTAINED THROUGHOUT THE LIFE OF THE BUILDING.

6. ALL DIMENSIONS INDICATE THE PROPERTY OF ALL HOUSE PLANS.

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

2. BUILDING COSTS - ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

3. BEFORE AND DURING - ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES, ETC. SHALL BE CONSIDERED AS SUPPLEMENTARY TO THE NATIONAL BUILDING CODE. IN THE CASE OF CONFLICT, THE MORE STRINGENT REQUIREMENTS SHALL PREVAIL. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL BUILDING AUTHORITY.

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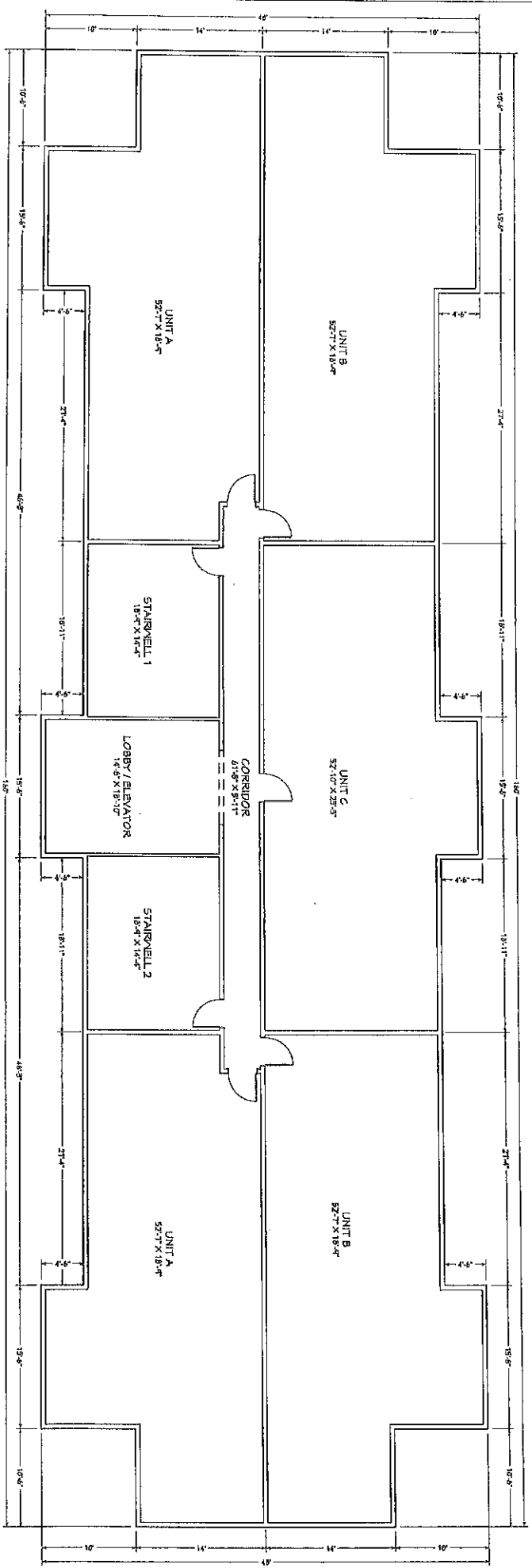
PROJECT NAME: THE FALLS PROPOSED 15 UNIT APARTMENT BLDG.

DRAWING NAME: SITE PLAN

SCALE: 1/16" = 1'

REVISION NO.	REVISION	DATE
1	ISSUED FOR REVIEW	JULY 9, 2022
2	ISSUED FOR REVIEW	JULY 7, 2022

SHEET PAGE 1 OF 3



LIVING AREA
523.50 FT²

B & L
House
Plans
B & L
Plans
B & L
Plans

GENERAL NOTES -

1. BUILDER DIMENSIONS: THIS PLAN IS INTENDED FOR USE BY THE BUILDER. DIMENSIONS SHALL BE TAKEN FROM THE FACE OF WALLS AND PARTITIONS UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TAKEN FROM THE FACE OF WALLS AND PARTITIONS UNLESS OTHERWISE NOTED.
2. BUILDING CODES: ALL BUILDINGS SHALL BE CONSIDERED TO BE SUBJECT TO THE NATIONAL BUILDING CODE OF CANADA, AND LOCAL ORDINANCES. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES. IN THE CASE OF HIGH RISE BUILDINGS, THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
3. FINISHES: FINISHES SHALL BE AS SHOWN ON THE FINISH SCHEDULE. IN THE CASE OF HIGH RISE BUILDINGS, THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
4. MATERIALS: MATERIALS SHALL BE AS SHOWN ON THE MATERIAL SCHEDULE. IN THE CASE OF HIGH RISE BUILDINGS, THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
5. STRUCTURE: THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

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4. STRUCTURE: THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.

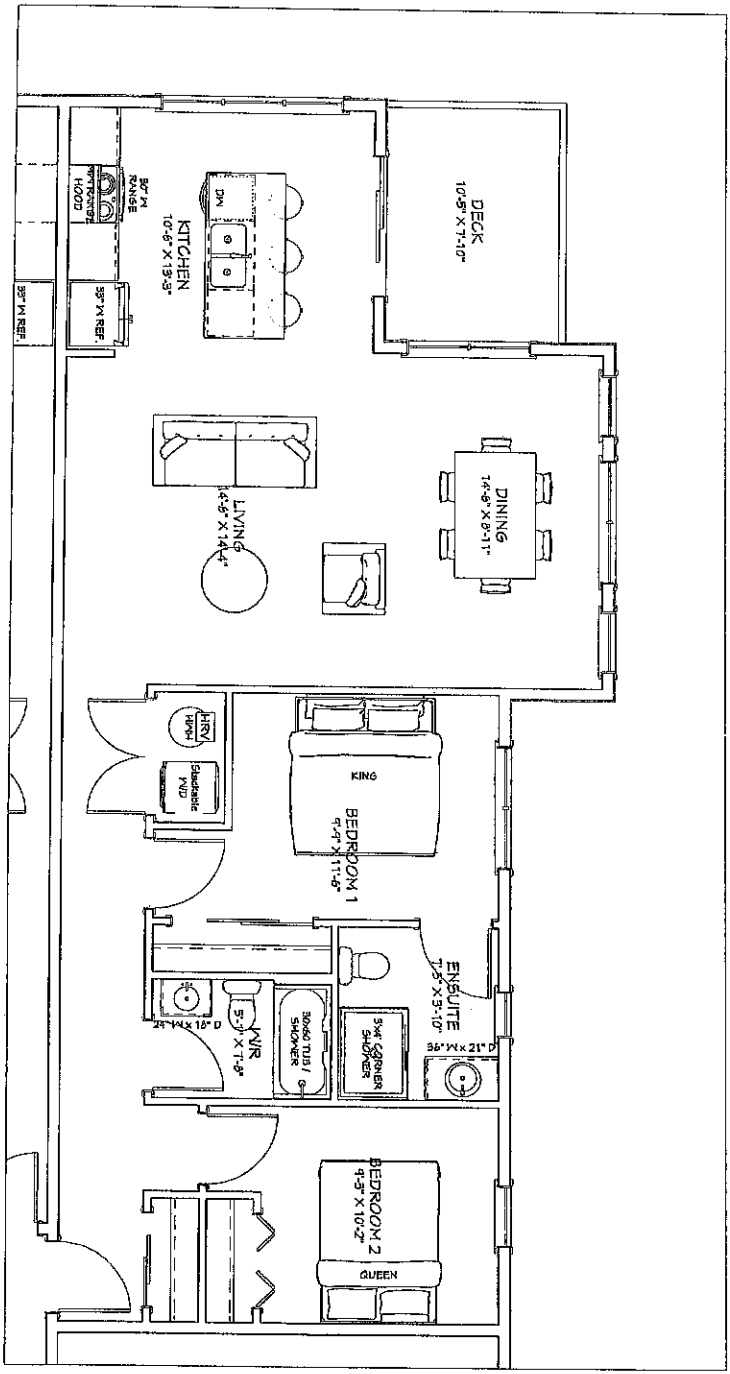
PROJECT NAME - THE FALLS PROPOSED 15 UNIT APARTMENT BLDG.

DRAWING NAME - TYPICAL FLOOR PLAN OVERVIEW

SCALE: 1/8" = 1'

REVISION NUMBER	REVISION	DATE
1	ISSUED FOR REVIEW	MAY 6, 2011
2	ISSUED FOR REVIEW	MAY 13, 2011

SHEET PAGE 2 OF 3



B & L House Plans
 B L House Plans
 B L House Plans
 B L House Plans

1. BUILDER QUALIFICATIONS - THIS PLAN IS INTENDED FOR THE BUILDER AND IS NOT TO BE USED BY ANY OTHER PARTY. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

2. BUILDING CODES - ALL WORK TO BE COMPLETED IN ACCORDANCE WITH THE CURRENT NATIONAL, STATE, AND LOCAL BUILDING CODES. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

3. GENERAL AND UTILITY - THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

4. ALL WORK SHALL BE THE RESPONSIBILITY OF THE BUILDER. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE BUILDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

PROJECT NAME - THE FALLS PROPOSED 13 UNIT APARTMENT BLDG.
 DRAWING NAME - TYPICAL UNIT B LAYOUT
 SCALE - 1/4" = 1'

NO.	REVISION	DATE
1	ISSUED FOR REVIEW	JULY 7, 2011
2	ISSUED FOR REVIEW	JULY 7, 2011

Region of Queens Municipality Staff Report

7.6

To: Council

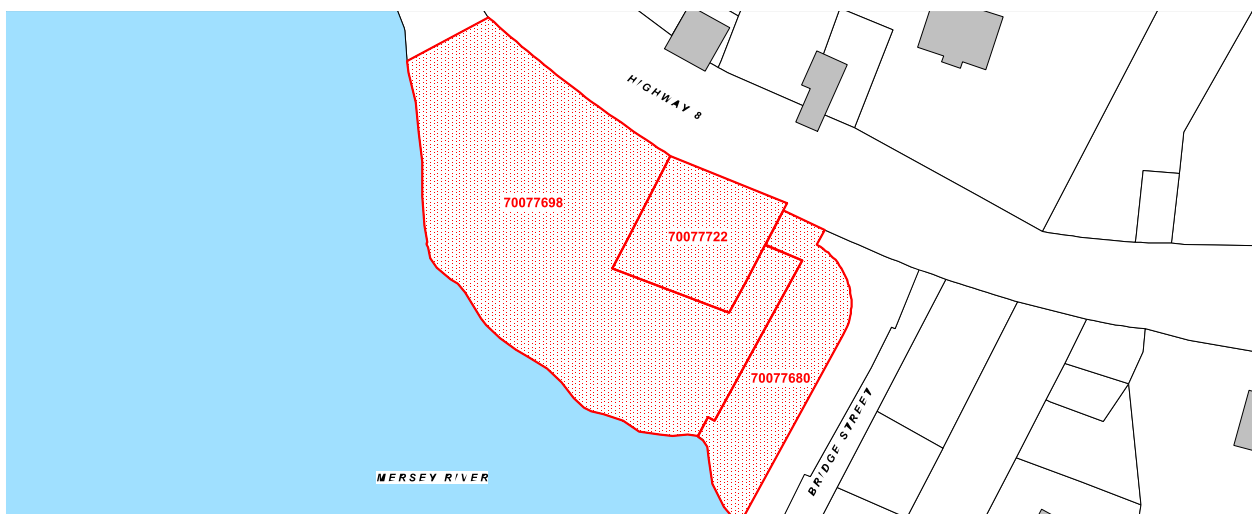
From: Mike MacLeod, Director of Planning and Development

Date: September 13, 2022

Re: Rezoning – Highway 8 in Milton

Background

Council, at its August 9, 2022 meeting, approved entering into a purchase and sale agreement to sell approximately 35,000 square feet of Municipal land on Highway 8 and Bridge Street in Milton. Commonly known as the Garika property. The properties are identified as PID# 70077698, 70077722 and 70077680. The purchaser proposes to construct a multiple unit residential housing project on the subject lands. A condition of the sale is the rezoning of the subject parcels to Multiple Unit Residential (RM). Development proposal is attached as Appendix A.



Map of Subject Properties

SUBJECT PROPERTY



HIGHWAY #8 FRONTAGE – LOOKING WEST

SUBJECT PROPERTY



EASTERN BOUNDARY – LOOKING NORTH



BRIDGE STREET FRONTAGE – LOOKING NORTHWEST

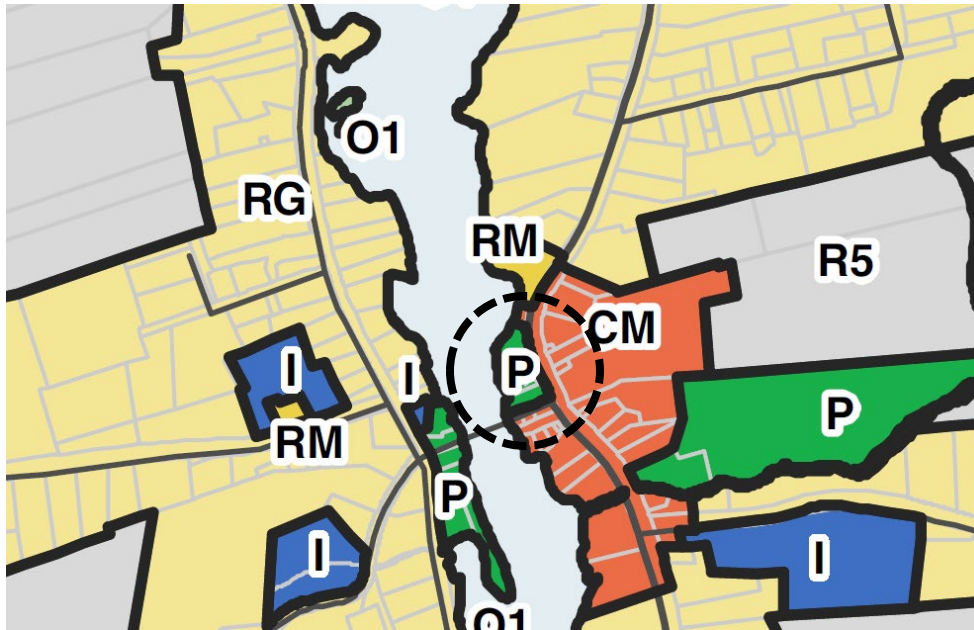


ONSITE - LOOKING SOUTHEAST

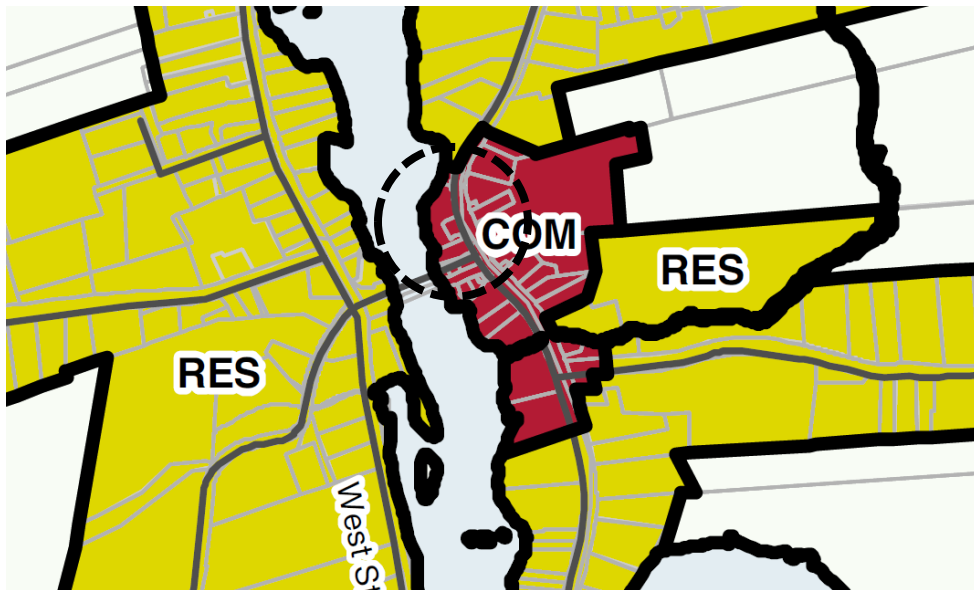
Details

The properties are zoned as **Recreation and Open Space (P)** under the Land Use Bylaw and have a future land use designation of **Serviced Commercial (COM)** under the Municipal Planning Strategy.

The use being proposed for the properties is not permitted in the (P) Zone. As such, the only opportunity for consideration of proposed use would be through amendments to the planning documents to change the zoning to Multiple Unit Residential (RM).




Zoning Map




Future Land Use Map

In looking at proposed amendments to the Land Use Bylaw, Council has established, through policy, a number of evaluation criteria and are as follows:

Policy 6-21: Council shall not amend the Land Use Bylaw or approve a development agreement unless Council is satisfied the proposal:

- 
- (a) *is consistent with the intent of this Municipal Planning Strategy;*
 - (b) *does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the municipality;*
 - (c) *is not premature or inappropriate due to:*
 - (i) *the ability of the Municipality to absorb public costs related to the proposal;*
 - (ii) *impacts on existing drinking water supplies, both private and public;*
 - (iii) *the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;*
 - (iv) *the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;*
 - (v) *the adequacy of fire protection services and equipment;*
 - (vi) *the adequacy and proximity of schools and other community facilities;*
 - (vii) *the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;*
 - (viii) *site-specific climate change risks;*
 - (ix) *the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;*
 - (x) *impacts on known habitat for species at risk;*
 - (xi) *light pollution and impacts on dark sky views, especially in the vicinity of the Kejimikujik Dark-Sky Preserve;*
 - (xii) *the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way; and*
 - (xiii) *negative impacts on the viability of existing businesses in the surrounding community, including, but not limited to, the risk of land use conflicts that could place limits on existing operational procedures.*



The Municipal Planning Strategy identifies a set of sustainable planning values respecting housing and are as follows:

“In order to achieve the Region’s Vision and Goals and build a sustainable future, Council has articulated the following sustainable planning values to help shape policies about housing:

- *Promote residential growth within established communities, near to services, and away from hazardous or sensitive lands.*
- *Encourage residential infilling on serviced lands within the Urban Service Areas.*
- *Guide the evolution of communities and residential areas in a manner that is respectful of, and complementary to, the existing context and character of those communities.*
- *Direct new residential communities to vacant lands that have the potential for sustainable development through the efficient servicing.*
- *Encourage an increased supply of rental housing in the Municipality.*
- *Diversify the available housing stock beyond the traditional dominance of single-detached homes.*
- *Enable and promote reinvestment in older, larger homes for reuse as housing that meets current demographic trends.”*

The Municipal Planning Strategy establishes policy respecting the preferred general locations for particular densities of residential developments and sets out consideration for amendments to the zoning map for new multi-unit residential development.

Policy 4-42: *Council shall, in the permitted uses in each zone of the Land Use Bylaw, tailor the types and densities of residential uses to the classification of community in which the zone is intended to be used. Rural development areas shall be limited to a low density of development, hamlets shall generally be lower in density with an opportunity for medium densities with careful oversight, and the **urban serviced areas shall be the focus of higher densities of residential development.***

Policy 5-10: *Council shall, through the Land Use Bylaw, establish the Multiple Unit Residential Zone. This zone is intended to accommodate multi-unit residential developments in the urban serviced areas.*

*"Outside of these areas identified for "pre-zoning" **Council will continue to consider proposals for multi-unit residential development through the zoning map amendment process.** Indeed, Council is supportive of such efforts and encourages such requests as a means to increase housing options in existing serviced communities, subject to a full evaluation of potential impacts through the public process of such amendments."*

Considerations -

- Total lot area for the three parcels is 35,500 square feet.
- Proposed 15 unit residential development.
- Significant demand for new residential housing options in Queens.
- Mix of residential, commercial and institutional uses in immediate area.
- Current zoning is Recreation and Open Space (P).
- Proposed use requires amendments to both the MPS and LUB.
- Access to Municipal sewer services.
- Abuts Trunk 8 and Bridget Street in Milton.
- Close proximity to recreational facilities.
- Existing sidewalks on east side of Highway 8.



Streetscape - Facing North



Streetscape - Facing South



Historic View of Properties.

Tentative timeframe –

Should recommendation be made to proceed with rezoning of the property, is as follows:

Planning Advisory Committee -	September 6, 2021
Council -	September 13, 2022
First Public Notice -	September 20, 2022
Second Public Notice -	September 27, 2022
Public Hearing -	October 11, 2022
Council -	October 11, 2022
Amendments to Province -	October 12, 2022
Notice of Passing -	~December 20, 2022

Staff have reviewed the application and are of the opinion that the proposed amendments are reasonable and is in line with Council's vision, goals and policy respecting residential development.

The Region's Planning Advisory Committee (PAC) met on September 6, 2022 to review the application and the proposed use of the properties. While all Committee members recognized the importance and need for new residential housing units in the area, there were also a numbers of comments and concerns expressed. Some of these included:

- Loss of potential parkland. Should be maintaining these lands for parkland as set out in policy in the MPS.
- Loss of public's ability to access shoreline. Possibility of retaining a portion of the property along the shoreline for public use, or retaining an easement for public use.
- Council just adopted the new plan and we are already making changes.
- There are other more appropriate locations for residential development.
- Loss of view of river for property owners on eastern side of Highway 8.

Following additional discussion on the implications of the proposed use of the properties, the majority of Committee recommended in favor of amending the Municipal Planning Strategy and Land Use Bylaw to change the future land use designation of PID #'s 70077698, 70077722 and 70077680 to Serviced Residential (RES) and the zoning of PID #'s 70077698, 70077722 and 70077680 to Multiple Unit Residential (RM).

A draft copy of the Bylaws respecting the amendments has been prepared for discussion purposes and is attached hereto as Appendix B.



Applicable Legislation

Municipal Government Act and Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw.

Budget Impacts

Approximately \$700.00 to cover the costs associated with required advertising.

Recommendation

THAT Council of Region of Queens Municipality give notice of its intention to amend the Municipal Planning Strategy and Land Use Bylaw to change the future land use designation of PID #'s 70077698, 70077722 and 70077680 to Serviced Residential (RES) and the zoning of PID #'s 70077698, 70077722 and 70077680 to Multiple Unit Residential (RM) ;

AND THAT a public hearing be scheduled for Tuesday October 11, 2022 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 9:00 am.

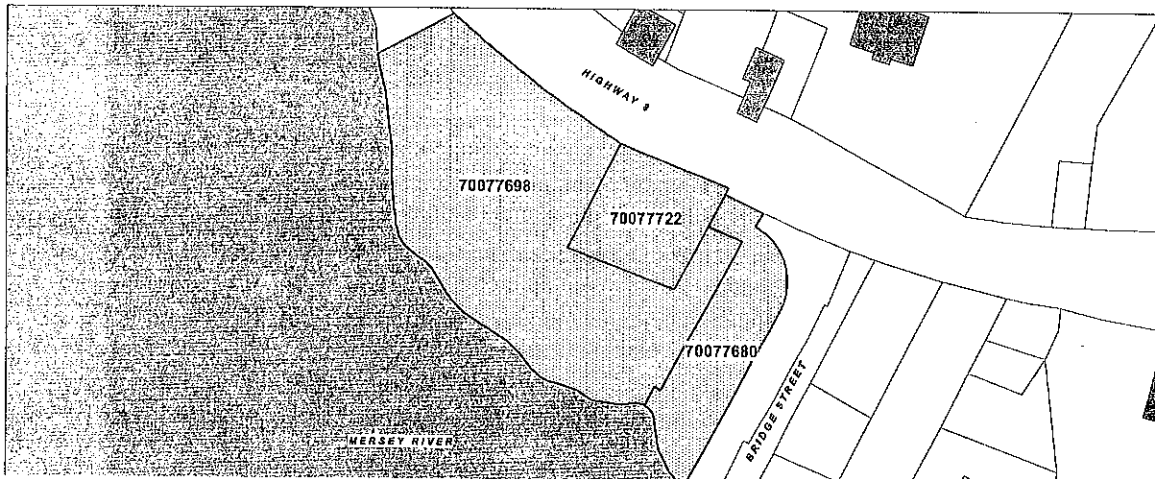
Appendix B

A BYLAW RESPECTING AMENDMENTS TO THE REGION OF QUEENS MUNICIPALITY MUNICIPAL PLANNING STRATEGY

BE IT ENACTED by the Council of Region of Queens Municipality, under authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

Region of Queens Municipality Municipal Planning Strategy, adopted at a meeting of the Council of Region of Queens Municipality held on the 24th day of May, 2022, and approved by the Nova Scotia Department of Municipal Affairs and Housing on the 6th day of July, 2022, is hereby amended by:

- ❖ Amending the Future Land Use Map to change the designation of PID #'s 70077698, 70077722 and 70077680 to Serviced Residential (RES).



This is to certify that the foregoing is a true copy of a bylaw passed at a duly constituted meeting of the Council of Region of Queens Municipality held on the ____ day of _____, 2022.

Given under the hands of the Mayor and the Municipal Clerk and the seal of Region of Queens Municipality this ____ day of _____, 2022.

MAYOR

MUNICIPAL CLERK

First Reading:

Second Reading:

Advertising:

Public Hearing:

Filed / Approved:

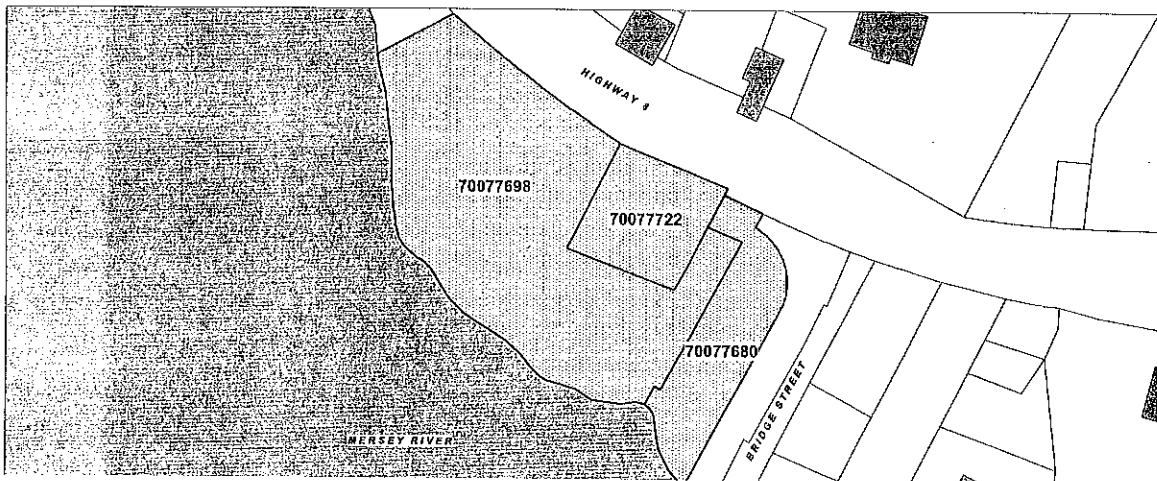
Nova Scotia Municipal Affairs and Housing

**A BYLAW RESPECTING AMENDMENTS
TO THE REGION OF QUEENS MUNICIPALITY
LAND USE BYLAW**

BE IT ENACTED by the Council of Region of Queens Municipality, under authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

Region of Queens Municipality Land Use Bylaw, adopted at a meeting of the Council of Region of Queens Municipality held on the 24th day of May, 2022, and approved by the Nova Scotia Department of Municipal Affairs and Housing on the 6th day of July, 2022, is hereby amended by:

- ❖ Amending the Zoning Map to change the zoning of PID #'s 70077698, 70077722 and 70077680 to Multiple Unit Residential (RM).



This is to certify that the foregoing is a true copy of a bylaw passed at a duly constituted meeting of the Council of Region of Queens Municipality held on the ____ day of _____, 2022.

Given under the hands of the Mayor and the Municipal Clerk and the seal of Region of Queens Municipality this ____ day of _____, 2022.

MAYOR

MUNICIPAL CLERK

First Reading:

Second Reading:

Advertising:

Public Hearing:

Filed / Approved:

Nova Scotia Municipal Affairs and Housing

**Region of Queens Municipality
Staff Report**

8.1

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 13, 2022

Re: COST SHARING OF J-CLASS ROADS - 2023-2024 FISCAL YEAR

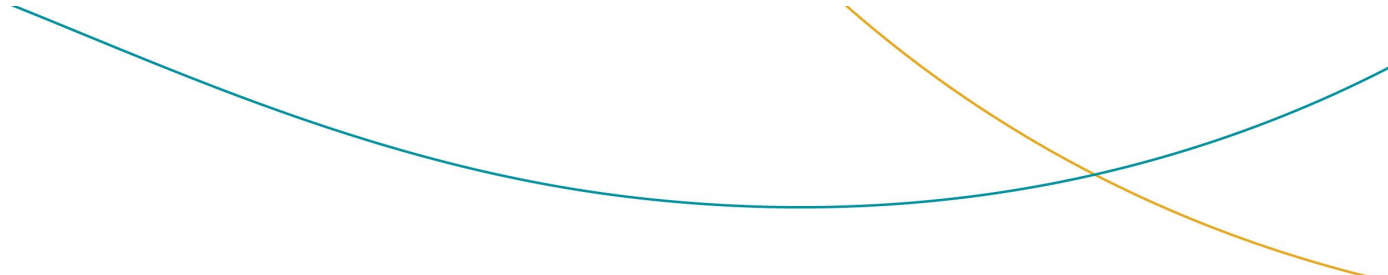
Background

Each year, Nova Scotia Public Works (NSPW) asks rural municipalities across the province if they wish to cost-share in capital upgrades to any roads within their municipal jurisdiction that are owned and maintained by the Province that are included on the municipally cost-shared J-class road list. Previously, the Municipality has requested to cost share in two roads adjacent to schools: Pleasant Avenue in Mount Pleasant next to Liverpool Regional High School and Old Port Mouton Road in White Point adjacent to Dr. John C. Wickwire Academy. Each of these road re-paving projects cost the Municipality about \$40,000 which was 50% of the re-pave cost. Ironworks like lifting manhole covers, catch basins, et cetera where they existed were at 100% cost to the Municipality.

We have received a request from NSTIR to determine our interest in cost-sharing on other roads in 2023-2024. A copy of eligible roads is attached. The annual provincial budget is only \$1 million to be matched by the eligible rural and regional municipalities so funding available for Queens County in the past has been minimal.

Details

Roads within Queens County are costed and paid for according to two different methods.



Roads within Liverpool are paid for 75% by all assessment accounts in Liverpool while the remaining 25% is paid for from the general tax rate of all accounts within Queens including Liverpool.

Costs for roads outside Liverpool (specifically J-class roads) that are owned by the Province and billed to the Region are paid for 75% by all assessment accounts outside Liverpool, while the remaining 25% is paid from the general tax rate on all accounts within Queens County.

As residents of Liverpool use rural roads and residents outside Liverpool use Liverpool roads, this funding formula was developed at the formation of Region of Queens Municipality and continues today.

Applicable Legislation

Section 65(aa) of the *Municipal Government Act (MGA)* authorizes a council to expend money required by the municipality for streets, culverts, retaining walls, sidewalks, curbs and gutters;

Section 65(av) of the *Municipal Government Act (MGA)* authorizes a council to expend money on all other expenditures authorized by this Act or another Act of the Legislature, that are required to be made under a contract lawfully made by, or on behalf of, the municipality, or incurred in the due execution of the duties, powers and responsibilities by law vested in, or imposed upon, the municipality, its mayor or warden, council or officers.

Budget Impacts

If Council was to select a road or roads to cost-share in re-paving the costs were estimated by NSPW in 2022-2023 at \$300,000 per kilometer which includes ditching, pipes, and asphalt. Our cost would be 50% of the final cost, excluding ironworks which would be 100% municipal cost.

Direction

Staff are seeking Council's direction in this matter for a response to the province.



Public Works

Johnston Building, 4th Floor
1672 Granville Street
PO Box 186
Halifax, Nova Scotia
B3J 2N2

Bus: 902-424-0897
Fax: 902-424-0570
E-mail: laura.cunningham@novascotia.ca

June 28, 2022

Mr. Chris McNeill
Chief Administrative Officer
Region of Queens Municipality
P.O. Box 1264
Liverpool, NS B0T 1K0

Dear Mr. McNeill:

RE: COST SHARE AGREEMENT 2020-017

The Department of Public Works expects to fund, subject to budget approval, the paving, repaving and double chipping of Subdivision streets during the 2023-24 construction season.

Cost sharing, regardless of type of treatment (paving, repaving or double chip), will be fifty per cent for eligible streets (50/50).

As per section 3.1 and 3.2 of the agreement, **“if the Municipality uses a petitioning process to determine which Village and Subdivision Streets will be cost shared the petition must be completed prior to submitting the list on or before October 17, 2022”.**

Attached, you will find a Road Submission List to be filled out electronically and returned to me electronically by October 17, 2022.

Examples on how to fill out the form is provided. Due to funding limitations, please limit your priorities to a maximum of ten candidates **and please put these in order of priority**. If any of the columns are not filled in, the list will be rejected by the Province and you will be asked to re-submit.

The submitted streets will be reviewed to verify eligibility and to determine if the condition of the proposed streets meets the minimum criteria for paving, repaving or double chipping.

Please submit this information to **my attention via email** as soon as possible to ensure your list will be considered for the upcoming fiscal year.

Please consider your Municipality's fiscal funding limitations when preparing your list and limit the list to only the projects the Municipality intends to fund in fiscal 2023-24.

Sincerely,

Laura Cunningham

Laura Cunningham
Capital Program Administration Officer

c: Craig Smith – Construction Manager, Western

#	ROAD	TYPE	START	END	COMMUNITY	SRFC	SRFC	DIST.
QU0404	COLLEGE	LOCA	SHORE (0400)	PLEASANT (0468)	MOUNT PLEASANT	PA	GR	0.3 B
QU0404	COLLEGE	LOCA	PLEASANT (0468)	LIVERPOOL TOWN LINE @ MOU	MOUNT PLEASANT	PA	PV	0.26 B
QU0405	OLD PORT MOUTON	LOCA	LIVERPOOL TOWN LINE	WEST CONNECTOR	WHITE POINT	PA	GR	1.71 B
QU0425	WEST	COLL	POTANOC(0433)	END OF SERVICE	MILTON	CS	GR	0.47 B
QU0426	TUPPER	LOCA	WEST(0425)	END OF PAVEMENT	MILTON	CS	GR	1.26 B
QU0426	TUPPER	LOCA	END OF PAVEMENT @ MILTON SOU	WEST ST (0425)	MILTON	PA	GR	0.17 B
QU0427	SCHOOL	UNMA	WEST ST (0425)	END OF PAVEMENT	MILTON	PA	GR	0.14 B
QU0427	SCHOOL	UNMA	END OF PAVEMENT	END OF CHIP SEAL	MILTON	CS	GR	0.96 B
QU0427	SCHOOL	UNMA	END OF CHIP SEAL	END OF SERVICE	MILTON	GR	GR	0.89 B
QU0428	MORTON	LOCA	TK 8 (0008)	TK 8 (0008)	MILTON	PA	GR	1.15 B
QU0429	MILFORD	LOCA	TK 8 (0008)	END OF PAVEMENT	MILTON	PA	GR	2.01 B
QU0431	GLENWOOD	LOCA	TK 8 (0008)	END OF LISTING	MILTON	PA	GR	0.85 B
QU0432	PLEASANT	LOCA	TK 8 (0008)	GLENWOOD(0431)	MILTON	CS	GR	0.72 B
QU0436	WOLFE	LOCA	LIVERPOOL TOWN LINE	END AT TURNING CIRCLE	MILTON	PA	GR	0.2 B
QU0437	GREAT HILL	LOCA	TK 3 (0003)	NICKERSONS POND (652)	BROOKLYN	CS	GR	0.63 B
QU0437	GREAT HILL	LOCA	NICKERSONS POND (0652)	END OF SERVICE	BROOKLYN	GR	GR	1.2 B
QU0438	ELM	LOCA	TK 3 (0003)	NICKERSONS POND (0652)	BROOKLYN	CS	GR	0.76 B
QU0439	POPLAR	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.143 B
QU0442	DEXTER	LOCA	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	PA	GR	0.17 B
QU0443	GODFREY	LOCA	BROOKLYN SHORE (0440)	END OF LISTING	BROOKLYN	SS	GR	0.25 B
QU0445	HILLSIDE	LOCA	BROOKLYN SHORE (0440)	TK 3 (0003)	BROOKLYN	PA	GR	0.95 B
QU0448	MARKLAND	LOCA	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	PA	PC	0.19 B
QU0464	ROXBURY	LOCA	PORT MEDWAY (0460)	END OF LISTING	PORT MEDWAY	PA	GR	0.92 B
QU0473	CHURCH	LOCA	TK 3 (0003)	MEDWAY RIVER (0474)	MILL VILLAGE	PA	GR	0.58 B
QU0491	FRENCH	LOCA	RTE 208 (0208)	END OF SERVICE	SOUTH BROOKFIELD	CS	GR	0.17 B
QU0552	LAKEVIEW	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	GR	GR	0.41 B
QU0559	FREEMAN	LOCA	MILFORD (0429)	END OF LISTING	MILTON	PA	GR	0.33 B
QU0562	SPRUCE	LOCA	HEMLOCK(0563)	PINE(0669)	CALEDONIA	CS	GR	0.127 B
QU0563	HEMLOCK	LOCA	TK 8 (0008)	TURNING CIRCLE	CALEDONIA	CS	GR	0.4 B
QU0564	MARIE	LOCA	TK 3 (0003)	END OF SERVICE	MILL VILLAGE	GR	GR	0.122 B
QU0631	LOCUST	LOCA	TK 3 (0003)	END OF CHIP SEAL	BROOKLYN	CS	GR	0.13 B
QU0632	OAK	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.08 B
QU0633	MAPLE	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.12 B
QU0634	HILL CREST	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.18 B
QU0638	RICHARDSON	LOCA	HILLSIDE (0475)	END OF LISTING	BROOKLYN	CS	GR	0.66 B
QU0647	OLD DAM	LOCA	GLENWOOD (0431)	END OF LISTING	MILTON	GR	GR	0.13 B
QU0648	PLEASANT	LOCA	COLLEGE(0404)	SHORE(0400)	MOUNT PLEASANT	CS	GR	0.25 B

QU0649	HOWARD	LOCA	PLEASANT (0648)	END LISTING	MOUNT PLEASANT	CS	GR	0.07 B
QU0650	ROGERS	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	SS	GR	0.24 B
QU0652	NICKERSON POND	LOCA	GREAT HILL (0437)	NICKERSON POND BR (0704)	BROOKLYN	CS	GR	1.331 B
QU0652	NICKERSON POND	LOCA	NICKERSON POND(0704)	END OF LISTING	BROOKLYN	GR	GR	1.17 B
QU0654	BIRCH	LOCA	LIVERPOOL TOWN LINE	END OF LISTING	MILTON	CS	GR	0.16 B
QU0655	WHYNOT	LOCA	PORT MEDWAY (0460)	FOSTERTOWN (0702)	PORT MEDWAY	PA	GR	0.21 B
QU0660	POND BRIDGE	LOCA	TK 3 (0003)	END OF LISTING	MILL VILLAGE	GR	GR	0.07 B
QU0662	MORLEY	LOCA	TK 8 (0008)	TK 8 (0008)	MILTON	CS	GR	0.24 B
QU0665	EDWARD	LOCA	WEST(0425)	END OF LISTING	MILTON	CS	GR	0.17 B
QU0669	PINE	LOCA	TK 8 (0008)	END @ CUL-DE-SAC	CALEDONIA	CS	GR	0.23 B
QU0670	CO-OP STORE	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	PA	GR	0.15 B
QU0675	OLIVER	LOCA	WEST(0425)	END OF LISTING	MILTON	CS	GR	0.14 B
QU0676	COMMERCIAL	LOCA	PORT MEDWAY (0460)	END @ FISH PLANT	PORT MEDWAY	PA	GR	0.38 B
QU0677	TELFER	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	SS	GR	0.19 B
QU0679	ATKINS	LOCA	LONG COVE (0461)	END @ CEMETERY	PORT MEDWAY	GR	GR	0.27 B
QU0684	EMENEAU	LOCA	TK 3 (0003)	RICHARDSON (0638)	BROOKLYN	CS	GR	0.53 B
QU0685	ZWICKER	LOCA	SHORE (0400)	END @ CUL-DE-SAC	MOUNT PLEASANT	SS	GR	0.22 B
QU0686	M. SMITH	LOCA	TK 3 (0003)	END @ CUL-DE-SAC	WHITE POINT	DG	GR	0.25 B
QU0687	BROOKLYN WHARF	LOCA	BROOKLYN SHORE (0440)	END @ GOVERNMENT WHARF	BROOKLYN	PA	GR	0.09 B
QU0688	MEDWAY	LOCA	PORT MEDWAY (0460)	COMMERCIAL (0676)	PORT MEDWAY	PA	GR	0.31 B
QU0689	TOWN LAKE	LOCA	LIVERPOOL TOWN LINE	END @ BARRICADE NEAR HWY :	MILTON	CP	GR	0.2 B
QU0689	TOWN LAKE	LOCA	BEGINNING OF CHIP SEAL	END AT BARRICADE @ HWY103	MILTON	CP	GR	0.49 B
QU0690	CRUSHER	LOCA	TK 8 (0008)	END OF LISTING	MILTON	SS	GR	0.26 B
QU0692	WHARF ROCK	LOCA	SHORE (0400)	END AT CUL-DE-SAC	MOUNT PLEASANT	SS	GR	0.7 B
QU0695	EASTWARD	LOCA	EMENEAU (0684)	END @ CUL-DE-SAC	BROOKLYN	GR	GR	0.14 B
QU0696	MEDWAY HARBOUR	LOCA	RTE 331 (0331)	END OF LISTING	MILL VILLAGE	GR	GR	1.69 B
QU0702	FOSTERTOWN	LOCA	ROXBURY (0464)	END OF LISTING	PORT MEDWAY	PA	GR	0.63 B
QU0704	NICKERSON POND	UNMA	NICKERSON POND (0652)	END @ BARRICADE BY HWY 103	BROOKLYN	CS	GR	0.17 B
QU0712	PEACH	LOCA	OLD PORT MOUTON(0405)	END OF LISTING	WHITE POINT	PA	GR	0.306 B
QU0717	FOREST	LOCA	TK 8 (0008)	PLEASANT (0423)	MILTON	CS	GR	0.336 B

GR - Gravel

PA - Paved Asphalt

CP - Chip Seal

CP - Chip Seal on Paved

SS - Sand Seal

Region of Queens Municipality Staff Report

8.2

To: Council

From: Adam Grant, Director of Engineering and Public Works

Date: September 13, 2022

Re: **Policy 95 - MAINTENANCE OF TREES**

Background


Region of Queens Municipality's Engineering and Public Works Department is regularly requested to assess trees and their structure for health and potential damage to property. Likewise, the Traffic Authority is called upon often to ensure the provision of unobstructed roadways and streets.

Details

Safety must always be the main priority of the Municipality as it relates to a safe community with a network of streets and sidewalks for the use of pedestrians, cyclists, motorists and alike without risk from unnecessary hazards.

The purpose of this policy is to establish a standard method and clear process for ensuring that trees on private property do not create a safety problem for vehicles or members of the public using or accessing municipal property or infrastructure.

The Traffic Authority has a duty to ensure adequate visibility of regulatory signs, proper sight lines and such. Unmaintained growth along street right-of-ways from private property regularly creates a problem by reducing travelling widths of



sidewalks or reducing the visibility of regulatory signs such as stop, crosswalk, speed, etc.

Applicable Legislation

Section 47 (1) of the Municipal Government act (MGA) authorizes Council to make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

Budget Impacts

It is not expected that this recommendation will have any budget impacts.

Communications

Communication will take place according to the policy when required.



POLICY NO. 95

MAINTENANCE OF TREES

BE IT ENACTED by the Council of Region of Queens Municipality, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

1. This policy shall be known as Policy Number 95 and may be cited as the “Maintenance of Trees Policy”.

POLICY PURPOSE

2. The purpose of this policy is to establish a standard method and clear process for ensuring that trees on private property do not create a safety problem for vehicles or members of the public using or accessing municipal property or infrastructure.

AUTHORITY

3. Section 63 of the *Municipal Government Act* provides that
 - (1) A municipality may
 - (a) remove dead, dying or diseased trees on public and private property;
 - (b) recommend and encourage
 - (i) the proper pruning, protection and repair of privately owned trees in the municipality,
 - (ii) the planting of trees of suitable species at desirable sites within the municipality.
 - (2) A municipality shall not remove trees from private property unless the owner has granted written permission or an order requiring the removal of the tree has been issued.

(3) The council may, by policy, authorize its employees to enter upon land within the municipality to

(a) treat the trees on the land as approved and recommended by Forestry Canada;

(b) inspect the trees to determine whether they are in a diseased condition or damaged to the extent that they constitute a hazard to the safety of persons or property.

(4) The council may, by policy, authorize an employee to order an owner of land, within thirty days of service of a copy of the order, to remove a tree or limb that is, in the opinion of the employee, hazardous to persons or property or so affected by disease or insect infestation as to endanger the life and health of trees in the vicinity.

(5) An order to remove a tree or limb shall contain a description of the location of the tree or limb directed to be removed and a copy of the order shall be served upon the owner of the land.

(6) Where the owner fails to remove the tree or limb described in the order within thirty days of service of a copy of the order, a person authorized by the employee may enter upon the land upon which the tree or limb is situate, without warrant or other legal process, and remove the tree or limb.

(7) The actual cost of removal of the tree or limb pursuant to subsection (6) may be recovered as a debt from the owner of the land upon which it was located and is a first lien on the real property of the owner of the land and may be collected in the same manner as taxes.

(8) An owner may appeal an order requiring the removal of a tree or limb to the Supreme Court of Nova Scotia within seven days of service of the order on the owner and the giving of a notice of appeal acts as a stay of proceedings until the appeal has been determined.

(9) Upon an appeal pursuant to subsection (8), the Supreme Court of Nova Scotia may confirm, modify or set aside the order.

(10) A municipality is not liable for failure to remove a diseased or dangerous tree or limb from property, whether publicly or privately owned.

(11) A person who defaces, mutilates or cuts a tree upon property of a municipality without the written consent of the municipality is guilty of an offence, and is guilty of a separate offence for each tree defaced, mutilated or cut.

SCOPE

4. This policy shall apply to all streets within Liverpool and municipal infrastructure within Queens County which are under the care and control of Region of Queens Municipality. This policy does not apply to tree maintenance issues between adjacent or neighbourhood properties of which municipal property and municipal trees are not impacted.

DEFINITIONS

5. Words in this policy shall have their normal Canadian dictionary meaning, except as follows:

“abutter” shall mean any person including an owner, lessee, or occupier of any premises or property that abuts a municipal street.

“Engineer” means Region of Queens Municipality’s Director of Engineering and Public Works or Assistant Director of Engineering and Public Works.

“municipal infrastructure” means any infrastructure that supports any municipal services including, but not limited to, public trees, street lights, traffic lights, traffic signs and other municipal signs, municipally owned or operated buildings, sidewalks, and public streets.

“owner” means a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building; and in the absence of proof to the contrary, the person or persons assessed for the property.

“person” means a natural person, corporation, partnership, association, society, firm, agent, trustee, or registered Canadian charitable organization, and includes the heirs, executors, and other legal representatives of a person, or owner.

“public tree” means a tree where the majority of the trunk is located within a street, street right-of-way, or on municipal property.

“street” means all municipally-owned public streets, roads, lanes, sidewalks, thoroughfares, bridges and squares, curbs, gutters, culverts, and retaining wall in connection therewith and without restricting the generality of the foregoing includes the full right-of-way width.

POLICY DETAILS

6. No person shall place, or permit the placing of, any bushes, shrubs, plants, trees, signs, lights, walkways, retaining walls, or other obstacles within a street or municipal infrastructure without the written authorization of the Engineer, and then only according to such terms and conditions noted in the authorization.
7. Where the Engineer believes that an abutting person or owner has a potentially dead or dying tree on public or private property that may constitute a hazard to the safety of persons or property, the Engineer is authorized to enter upon the private or public property to inspect such tree or trees to determine whether they are in a diseased or damaged condition.
8. When such an inspection is deemed required under Section 7, the Engineer will endeavour to notify the abutter prior to entering upon their property based on the level of risk to persons or property.
9. Where a tree or trees are believed by the Engineer to constitute a hazard to the safety of persons or property, the Engineer may issue an Order to the owner requiring that a tree or limb be removed, requiring that the order be complied with within 30 days. Should the owner fail to remove the tree or limb within 30 days, the Engineer or any person authorized by them may enter upon the land upon which the tree or limb is situate, without warrant or other legal process, and remove the tree or limb.
10. The actual cost of removal of any tree or limb carried out pursuant to Section 9 may be recovered as a debt from the owner of the land upon

which it was located and is a first lien on the real property of the owner of the land and may be collected in the same manner as taxes.

11. Notwithstanding Section 3(11), Utility contractors with aerial infrastructure and their agents and contractors are authorized to carry out its own required overhead infrastructure tree maintenance along streets at any time, without the prior written consent of the Engineer.

ACCOUNTABILITY

12. Responsibility for the oversight and implementation of this policy shall lie with the Municipality's Director of Engineering and Public Works.

EFFECTIVE DATE

13. This policy shall take effect from the date of approval by Council.

Approved by Council:

Date	Recommendation	Responsibility	Action Taken
April 12, 2022	Enter into the proposed Purchase and Sale Agreement with Liemke Ventures Limited for property bearing PID #70110903, being the property known as South Shore Regional Airport, for the appraised value of \$565,000 plus HST.	M. MacLeod	Pending finalization of land transaction.
May 10, 2022	Approve the installation of a new streetlight by the community postal boxes on Highway 3 in Broad River.	M. MacLeod	Request for installation sent to NSPI.
May 10, 2022	Approve the installation of a new streetlight in front of #94 East Side Port L'Hebert Road in East Port L'Hebert.	M. MacLeod	Request for installation sent to NSPI.
June 14/22	<p>Approve the preliminary boundaries for the 2024 municipal election public consultation process reflecting three options; six councillors, seven councillors and eight councillors.</p> <p>AND THAT consultation take place with the public with Option 2 being the recommended option.</p>	CAO	Public consultations are scheduled for August 30 at the Greenfield Fire Hall in Greenfield and August 31 at QPEC. Advertisement scheduled for August 24 in The South Shore Breaker. Information posted to website.
June 28/22	Approves project commencement for the Liverpool Development Center, which will include design and installation of a four quadrant HVAC system estimated to cost \$1.9 million. Project will be funded 50% from Special Operating Reserves and 50% from long term borrowing.	J. Veinotte Adam Grant	Project approved. In progress.

Date	Recommendation	Responsibility	Action Taken
July 12, 2022	<p>Establish a Pool Committee and appoint the following people to the Committee effective October 1, 2022:</p> <p>Councillor Vicki Amirault, Councillor Jack Fancy, 2 members from the Aquatic Society and 2 members of the public to be determined at a later date.</p>	E. Levy	Advertisement for public members has started.
Aug 9, 2022	Approve the initiation of the Bylaw drafting process that would document the conditions required in order to facilitate collection of Road Levies by Region of Queens as part of the tax billing process.	E. Levy	In progress.
Aug 9, 2022	Approve a donation of \$100,000 to the South Shore Regional Hospital Foundation Brighter Days Campaign, to be funded directly from the Special Operating Reserve in the 2022/2023 budget year.	J. Veinotte	Cheque processed.
Aug 9, 2022	Approve the installation of a new barrier free access ramp and building entry on the eastern side of the Town Hall Arts and Cultural Centre (RBC side) to meet the accessibility needs of users of the facility.	Adam Grant	Development Permit approved.
Aug 9, 2022	Adopt the Audited Financial Statements for the fiscal year ended March 31, 2022.	J. Veinotte	Financials posted to website.
Aug 9, 2022	Declare properties identified as PID #s 70077698, 70777722 and 70077680 as surplus to municipal needs and enter into a purchase and sale agreement with Eric and Dawn Fry to convey the municipal lands for the appraised value of \$95,000.	M. MacLeod	Transaction in process,

Date	Recommendation	Responsibility	Action Taken
Aug 9, 2022	Declare property identified as a portion of PID 70260203 as surplus to municipal needs and enter into a purchase and sale agreement with Queens Care Building Society for the future development of a new long term care facility.	M. MacLeod	Transaction in process.

Region of Queens Municipality

COUNCIL IMPLEMENTATION REPORT – January – December 22, 2020

Date	Recommendation	Responsibility	Action Taken
Feb. 25, 2020	Authorize staff to begin the process of finalizing future programming for a new outdoor aquatic facility.	M. Roberts	Further review will be undertaken by staff.

Region of Queens Municipality

COUNCIL IMPLEMENTATION REPORT – JANUARY – DECEMBER 10, 2019

Date	Recommendation	Responsibility	Action Taken
Oct. 22, 2019	Enter into negotiations with Mogan Holdings Limited for the Municipal acquisition of a portion of property identified as PID #70026547 and located adjacent to McLeod Street in Liverpool for the sale price of \$1.00; AND THAT the Region of Queens Municipality will assume the costs associated with subdividing the property.	M. MacLeod	Survey complete. Awaiting preparation of deed for signatures and registration.