

**Region of Queens Municipality Regular Council
Tuesday, September 24 , 2024
6:00 p.m.
Mill Village Fire Hall**

Agenda

1.0 Call to Order

2.0 Changes / Approval of Agenda

3.0 Presentation

4.0 Tabling of Petitions

5.0 Public Question / Comment Session

6.0 Approval of Minutes

6.1 Regular Council – September 10, 2024

7.0 Recommendations

7.1 J-Class Road Assessment

7.2 Grouped Dwelling Development Agreement

7.3 CIF 2024 – 2025 Liverpool International Theatre Festival

8.0 Discussions

9.0 In-Camera

10.0 Adjournment

Region of Queens Municipality Regular Council
Tuesday, September 10, 2024
9:00 a.m.

Minutes

Present:

Mayor Darlene Norman, Chair
Deputy Mayor Jack Fancy
Councillor Vicki Amirault
Councillor Ralph Gidney
Councillor Kevin Muise
Councillor Maddie Charlton
Councillor Carl Hawkes
Cody Joudry, CAO
Angela Green, Recording Secretary

Regrets: Councillor David Brown

1.0 Call to Order

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

2.0 Changes / Approval of Agenda

Mayor Norman made the following changes to the Agenda:

- **7.2 Policy 4 - Payment of Taxes Request was moved to Discussion and became 8.7.**
- **8.8 was added at Deputy Mayor Fancy's request to Discussion as 'Respecting the Municipality's Land Use Bylaws'**

It was moved by Councillor Charlton and seconded by Councillor Gidney that the Agenda be approved as amended.

MOTION CARRIED unanimously.

3.0 Presentation

There were no Presentations to come before the Council.

4.0 Tabling of Petitions

There were no Petitions to come before Council.

5.0 Public Question / Comment Session

Gary Clark, South West Port Mouton

Mr. Clark came before Council to express his dissatisfaction with the application of Policy 4 – Payment of Taxes. He feels that the policy needs to be edited to have a more measured approach.

6.0 Approval of Minutes

6.1 Regular Council – August 13, 2024

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

THAT the minutes of the Regular Council meeting held August 13, 2024, be approved as presented.

MOTION CARRIED unanimously.

7.0 Recommendations

7.1 Community Investment Fund – Additional Budget

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

THAT the Council of the Region of Queens Municipality receives the report titled “Community Investment Fund – Additional Budget” for information.

MOTION CARRIED with 6 in favour, 1 against.

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

THAT the Council of the Region of Queens Municipality approves the transfer of \$10,000 from the Community Investment Fund reserve to the operational budget for the purpose of CAO-approved funding applications.

MOTION CARRIED unanimously.

7.2 Dangerous & Unsightly Premises – 15/19 Court Street, Liverpool

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

THAT the Council of the Region of Queens Municipality receive the report titled “Dangerous or Unsightly Premises #15-19 Court Street, Liverpool”.

MOTION CARRIED with 6 in favour, 1 against.

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

THAT Region of Queens Municipal Council declares the property located at #15-19 Court Street, Liverpool, Queens County, Nova Scotia and identified as PID #70025275 as dangerous or unsightly as defined in the *Municipal Government Act of Nova Scotia*.

AND THAT an Order to be served upon the owner of the property requiring that, within (30) days of the date of the service of the Order, the following work be carried out:

- 1. Demolition of existing building located at #15-19 Court Street, Liverpool, NS;**
- 2. Full clean-up of construction and demolition materials and transport to the Region of Queens Landfill Facility and leveling of the property accordingly; and**
- 3. Clean-up of miscellaneous items strewn about the property such as vinyl siding, plastics, metals, shingles, bricks, glass, etc.**

AND THAT if the owner fails to comply with the Order, the Administrator may cause the requirements of the Order to be carried out and all expenses incurred by Region of Queens Municipality become the responsibility of the property owner.

MOTION CARRIED unanimously.

8.0 Discussions

8.1 Hillsview Acres Governance

It was moved by Deputy Mayor Fancy and seconded by Councillor Hawkes:

THAT the Council of the Region of Queens Municipality receives the report titled 'Hillsview Acres Governance' for information.

MOTION CARRIED with 6 in favour, 1 against.

It was moved by Deputy Mayor Fancy and seconded by Councillor Amirault:

THAT the Council of the Region of Queens Municipality consider at their September 24, 2024 meeting the motion to direct staff to issue a Request for Proposal to consult stakeholders and provide recommendations regarding changes to the Hillsview Acres governance structure.

It was moved by Councillor Charlton and seconded by Councillor Muise to table the motion.

MOTION TABLED with unanimous agreement.

8.2 Governance Resources in Nova Scotia – LTC Facilities

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

THAT the Council of the Region of Queens Municipality receives the report titled 'Governance Resources in NS LTC Facilities' for information.

MOTION CARRIED unanimously.

8.3 J-Class Road Assessment

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

THAT the Council of the Region of Queens Municipality receives the report titled 'J-Class Road Assessment' for information.

MOTION CARRIED with 6 in favour, 1 against.

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

THAT the Council of the Region of Queens Municipality consider submitting an application to the Province at their September 24th meeting for the cost shared paving of the following roads segments:

- 1. M. Smith Road, Liverpool (District 1)**
- 2. Emeneau Road, Brooklyn (District 4)**
- 3. Forrest Street, Milton (District 5)**
- 4. French Street, South Brookfield (District 7)**
- 5. Wharf Rock Road, Liverpool (District 2)**
- 6. Wolfe Street, Liverpool (District 3)**
- 7. Roxbury Road, Port Medway (District 6)**

MOTION CARRIED unanimously.

Council paused for a break at 10:15 a.m., and resumed at 10:31 a.m.

8.4 Market & Main Street Intersection Traffic Management

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

THAT the Council of the Region of Queens Municipality receives the report titled 'Market & Main Street Intersection Traffic Management' for information.

MOTION CARRIED unanimously.

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

THAT the Council of Region of Queens Municipality consider at the October 8, 2024 meeting of Council, a motion to direct staff to conduct a warrant analysis, design the traffic light system, and install traffic lights at the Main and Market Street intersection at an unbudgeted expense of up to \$1,000,000.

MOTION CARRIED unanimously.

8.5 Financial Review – Q1

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

THAT the Council of the Region of Queens Municipality receives the report titled 'Financial Review – Quarter 1' for information.

MOTION CARRIED unanimously.

8.6 QPEC Camera System RFP

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

THAT the Council of the Region of Queens Municipality receives the report titled 'QPEC Security Camera Recommendations' for information.

MOTION CARRIED with 6 in favour, 1 against.

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

THAT the Council of the Region of Queens Municipality increase the budget for the QPEC Camera system from \$25,000 to \$80,000 plus HST to be funded from the accumulated surplus, to purchase an IP-based camera system.

MOTION CARRIED unanimously.

8.7 Policy 4 – Payment of Taxes Request

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

THAT the Council of the Region of Queens Municipality receives the report titled 'Tax Payment Waiver Request' for information.

MOTION CARRIED unanimously.

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

THAT the Council of the Region of Queens Municipality consider a motion at the September 24, 2024 meeting to amend *Policy 4: Payment of Taxes Policy* as outlined in this report.

It was then moved by Councillor Charlton and seconded by Councillor Hawkes to amend the Motion to:

THAT the Council of Region of Queens Municipality amend *Policy 4: Payment of Taxes Policy* as outlined in this report.

MOTION ON THE AMENDMENT CARRIED unanimously.

MOTION ON THE MOTION AS AMENDED CARRIED unanimously.

8.8 Respecting the Municipality's Land Use Bylaws

It was moved by Deputy Mayor Fancy and seconded by Councillor Muise:

THAT the Council of the Region of Queens Municipality consider at its September 24, 2024 meeting a motion to direct staff to prepare a report detailing the current status of enforcement activities related to the Municipality's Land Use Bylaws including but not limited to an overview of the number of bylaw violations reported, action taken in response, timelines for resolution, and any challenges faced in the enforcement process.

A friendly amendment was then made to the motion to have it read:

THAT the Council of the Region of Queens Municipality direct staff to prepare a report detailing the current status of enforcement activities related to the Municipality's Land Use Bylaws including but not limited to an overview of the number of bylaw violations reported, action taken in response, timelines for resolution, and any challenges faced in the enforcement process.

MOTION DEFEATED with 2 in favour, 5 against.

9.0 In-Camera Items

It was moved by Councillor Hawkes and seconded by Councillor Gidney that the proceedings move In-Camera at 12:03 p.m.

MOTION PASSED unanimously.

Council paused for lunch at 12:03 p.m., and resumed at 1:00 p.m.

It was moved by Councillor Gidney and seconded by Councillor Charlton that the proceedings move out of In-Camera at 2:54 p.m.

MOTION PASSED unanimously.

There was one motion to come out of the In-Camera discussions:

It was moved by Councillor Amirault and seconded by Deputy Mayor Fancy:

THAT the Council of Region of Queens Municipality approve an increase to the South Queens Outdoor Pool project budget from \$7.2 million to \$8.08 million, which includes \$7.88 million for construction and \$0.2 million for borrowing costs;

AND THAT the increase, an unbudgeted expense, be funded from the accumulated surplus;

AND THAT the Mayor and Chief Administrative Officer be authorized to execute the construction contract with Axios Construction.

MOTION CARRIED with 5 in favour, 2 against.

10.0 Adjournment

The meeting was adjourned at 3:04 p.m.

Mayor Darlene Norman, Chair

Cody Joudrey, CAO

Angela Green, Recording Secretary

Date Approved: _____

Region of Queens Municipality Staff Report

7.1

To: Mayor and Council
From: Adam Grant, P.Eng., Director of Infrastructure
Date: September 24, 2024
Re: J-Class Road Assessment

Background

Each year the Province of Nova Scotia accepts applications from Municipalities who are interested in upgrading. Municipalities must provide a list of priority roads to the province for their consideration and the Province can either agree to cost-share the upgrade for the upcoming fiscal and construction year or decide not to support it.

Details

Provincial representatives have provided staff with an application and submission list for the 2025-2026 season which is due back to their office before October 31, 2024. The Province has advised that decisions by the province will be subject to their budget approval and a response is expected to the Municipality early in the calendar year.

This year, the Region of Queens' Infrastructure Department has adopted a comprehensive and impartial assessment system by integrating asset management tools and philosophies with real-world observations to aid in the consideration process for Council's consideration. The product of this work is an objective rating system for all of Queens County's J-class roads that can be used by the Municipal Council (if they choose) to support their decision-making process of which roads deserve priority should they consider applying to the cost-sharing program.

Appendix A is an up-to-date list of J-Class roads in Queens County which are non-gravel surfaces provided to staff by the Province. This list of eligible road

segments under the cost-sharing agreement has been evaluated against an assessment scale which scores surface defects such as potholes, cracks, etc. with road use such as volume or connectivity to create an aggregate "Priority Ranking" that objectively ranks one road segment over another.

Appendix B provides the results of ranked road segments resulting from this spring's assessment where the higher the value, the higher the priority (or urgency) for upgrade is recommended. There is no threshold or 'failing grade', the results of the assessment provide an objective comparison between street segments.

Appendix C provides a map of the road sections to be included in the application.

Budget Impacts

There are no budget impacts for 2024-2025 to apply to the Province.

Communications

Following approval the application will be completed and submitted to the Provincial representative.

Recommendation

(1) THAT the Council of the Region of Queens Municipality submit an application to the Province of Nova Scotia for cost-shared paving of the following J-class road segments:

- 1) 334meters of 0717 Forest Street, Milton;
- 2) 553meters of 0684 Emeneau Road, Brooklyn;
- 3) 163meters of 0655 French Street, South Brookfield;
- 4) 224meters of 0686 M. Smith Road, Liverpool;
- 5) 281meters of 0464 Roxbury Road, Mill Village;
- 6) 690meters of 0692 Wharf Rock Road, Liverpool; and
- 7) 188meters of 0436 Wolfe Street, Liverpool.

APPENDIX A: Queens County J-Class Roads (excluding gravel surface)

Authority Number	Road Name	Suffix	Section ID	From Description	To Description	Community	Surface Type	Centerline Length
0687	BROOKLYN WHARF	Road	36486	BROOKLYN SHORE (0440)	END @ GOVERNMENT WHARF	BROOKLYN	Paved asphalt	0.09
0442	DEXTER	Avenue	36241	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	Paved asphalt	0.17
0438	ELM	Street	36234	TK 3 (0003)	NICKERSONS POND (0652)	BROOKLYN	Chip seal on sand seal	0.76
0684	EMENEAU	Road	36483	TK 3 (0003)	RICHARDSON (0638)	BROOKLYN	Chip seal on sand seal	0.53
0443	GODFREY	Street	36242	BROOKLYN SHORE (0440)	END OF LISTING	BROOKLYN	Sand seal	0.25
0437	GREAT HILL	Road	36232	TK 3 (0003)	NICKERSONS POND (652)	BROOKLYN	Chip seal on sand seal	0.63
0634	HILL CREST	Avenue	36436	TK 3 (0003)	END OF LISTING	BROOKLYN	Chip seal on sand seal	0.18
0445	HILLSIDE	Road	36244	BROOKLYN SHORE (0440)	TK 3 (0003)	BROOKLYN	Paved asphalt	0.95
0631	LOCUST	Street	36433	TK 3 (0003)	END OF CHIP SEAL	BROOKLYN	Chip seal on sand seal	0.13
0633	MAPLE	Street	36435	TK 3 (0003)	END OF LISTING	BROOKLYN	Chip seal on sand seal	0.12
0448	MARKLAND	Avenue	36248	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	Paved asphalt	0.19
0652	NICKERSON POND	Road	36452	GREAT HILL (0437)	NICKERSON POND BR (0704)	BROOKLYN	Chip seal on sand seal	1.331
0704	NICKERSON POND	Branch	36503	NICKERSON POND (0652)	END @ BARRICADE BY HWY 103 (0103)	BROOKLYN	Chip seal on sand seal	0.17
0632	OAK	Street	36434	TK 3 (0003)	END OF LISTING	BROOKLYN	Chip seal on sand seal	0.08
0439	POPLAR	Street	36235	TK 3 (0003)	END OF LISTING	BROOKLYN	Chip seal on sand seal	0.143
0638	RICHARDSON	Street	36440	HILLSIDE (0475)	END OF LISTING	BROOKLYN	Chip seal on sand seal	0.66
0670	CO-OP STORE	Road	36472	TK 8 (0008)	END OF LISTING	CALEDONIA	Paved asphalt	0.15
0563	HEMLOCK	Street	36428	TK 8 (0008)	TURNING CIRCLE	CALEDONIA	Chip seal on sand seal	0.4
0669	PINE	Street	36471	TK 8 (0008)	END @ CUL-DE-SAC	CALEDONIA	Chip seal on sand seal	0.23
0650	ROGERS	Road	36450	TK 8 (0008)	END OF LISTING	CALEDONIA	Sand seal	0.24
0562	SPRUCE	Street	36427	HEMLOCK(0563)	PINE(0669)	CALEDONIA	Chip seal on sand seal	0.127
0677	TELFER	Road	36476	HIBERNIA (0515)	END OF LISTING	CALEDONIA	Sand seal	0.19
0473	CHURCH	Square	36288	TK 3 (0003)	MEDWAY RIVER (0474)	MILL VILLAGE	Paved asphalt	0.58
0654	BIRCH	Avenue	36455	LIVERPOOL TOWN LINE	END OF LISTING	MILTON	Chip seal on sand seal	0.16
0690	CRUSHER	Road	36490	TK 8 (0008)	END OF LISTING	MILTON	Sand seal	0.26
0665	EDWARD	Street	36467	WEST(0425)	END OF LISTING	MILTON	Chip seal on sand seal	0.17
0717	FOREST	Street	36519	TK 8 (0008)	PLEASANT (0423)	MILTON	Chip seal on sand seal	0.336
0559	FREEMAN	Street	36424	MILFORD (0429)	END OF LISTING	MILTON	Paved asphalt	0.33
0431	GLENWOOD	Street	36223	TK 8 (0008)	END OF LISTING	MILTON	Paved asphalt	0.85
0429	MILFORD	Street	36220	TK 8 (0008)	END OF PAVEMENT	MILTON	Paved asphalt	2.01
0662	MORLEY	Street	36464	TK 8 (0008)	TK 8 (0008)	MILTON	Chip seal on sand seal	0.24
0428	MORTON	Street	36219	TK 8 (0008)	TK 8 (0008)	MILTON	Paved asphalt	1.15
0675	OLIVER	Street	36474	WEST(0425)	END OF LISTING	MILTON	Chip seal on sand seal	0.14
0432	PLEASANT	Street	36224	TK 8 (0008)	GLENWOOD(0431)	MILTON	Chip seal on sand seal	0.72
0427	SCHOOL	Street	36215	WEST ST (0425)	END OF PAVEMENT	MILTON	Paved asphalt	0.14
0427	SCHOOL	Street	36216	END OF PAVEMENT	END OF CHIP SEAL	MILTON	Chip seal on sand seal	0.96
0689	TOWN LAKE	Road	36488	LIVERPOOL TOWN LINE	END @ BARRICADE NEAR HWY 103 (0103)	MILTON	Chip seal on paved	0.2
0689	TOWN LAKE	Road	36489	BEGINNING OF CHIP SEAL	END AT BARRICADE @ HWY103 (0103)	MILTON	Chip seal on paved	0.49
0426	TUPPER	Street	36213	WEST(0425)	END OF PAVEMENT	MILTON	Chip seal on sand seal	1.26
0426	TUPPER	Street	36214	END OF PAVEMENT @ MILTON SOUTH	WEST ST (0425)	MILTON	Paved asphalt	0.17
0425	WEST	Street	36212	PONTONAC(0433)	END OF SERVICE	MILTON	Chip seal on sand seal	0.47
0436	WOLFE	Street	36231	LIVERPOOL TOWN LINE	END AT TURNING CIRCLE	MILTON	Paved asphalt	0.2
0404	COLLEGE	Street	36182	SHORE (0400)	PLEASANT (0468)	MOUNT PLEASANT	Paved asphalt	0.3
0404	COLLEGE	Street	36183	PLEASANT (0468)	LIVERPOOL TOWN LINE @ MOUNT PLEASANT SOUTH	MOUNT PLEASANT	Paved asphalt	0.26
0649	HOWARD	Avenue	36449	PLEASANT (0648)	END LISTING	MOUNT PLEASANT	Chip seal on sand seal	0.07
0648	PLEASANT	Avenue	36448	COLLEGE(0404)	SHORE(0400)	MOUNT PLEASANT	Paved asphalt	0.25
0692	WHARF ROCK	Road	36492	SHORE (0400)	END AT CUL-DE-SAC	MOUNT PLEASANT	Sand seal	0.7
0685	ZWICKER	Drive	36484	SHORE (0400)	END @ CUL-DE-SAC	MOUNT PLEASANT	Sand seal	0.22
0676	COMMERCIAL	Street	36475	PORT MEDWAY (0460)	END @ FISH PLANT	PORT MEDWAY	Paved asphalt	0.38
0702	FOSTERTOWN	Road	36501	ROXBURY (0464)	END OF LISTING	PORT MEDWAY	Paved asphalt	0.63
0688	MEDWAY	Street	36487	PORT MEDWAY (0460)	COMMERCIAL (0676)	PORT MEDWAY	Paved asphalt	0.31
0464	ROXBURY	Road	36279	PORT MEDWAY (0460)	END OF LISTING	PORT MEDWAY	Paved asphalt	0.29
0655	WHYNOT	Road	36456	PORT MEDWAY (0460)	FOSTERTOWN (0702)	PORT MEDWAY	Paved asphalt	0.21
0491	FRENCH	Street	36319	RTE 208 (0208)	END OF SERVICE	SOUTH BROOKFIELD	Chip seal on sand seal	0.17
0686	M. SMITH	Road	36485	TK 3 (0003)	END @ CUL-DE-SAC	WHITE POINT	Double chip seal on gravel	0.25
0405	OLD PORT MOUTON	Road	36184	LIVERPOOL TOWN LINE	WEST CONNECTOR	WHITE POINT	Paved asphalt	1.71
0712	PEACH	Lane	36514	OLD PORT MOUTON(0405)	END OF LISTING	WHITE POINT	Paved asphalt	0.306

APPENDIX B: Queens County J-Class Roads Assessment

PNS						Segment
Authority	Segment Name	Community	Priority Ranking	Primary Defects	Secondary Defects	Length (m)
0427	School St A	Milton	5.75	Cracking	Potholes	48
0652	Nickerson Pond Rd B	Brooklyn	5.45	Potholes	Distortion	495
0439	Poplar St	Brooklyn	5.40	Cracking	Potholes	134
0442	Dexter Ave A	Brooklyn	5.35	Distortion	Potholes	68
0633	Maple St	Brooklyn	5.35	Potholes	Distortion	99
0717	Forest St	Milton	5.35	Cracking	Potholes	334
0429	Milford St B	Milton	5.30	Distortion	Cracking	285
0684	Emeneau Rd	Brooklyn	5.25	Distortion	Cracking	533
0655	French St	South Brookfie	5.25	Potholes	Distortion	163
0563	Hemlock St A	Caledonia	5.20	Potholes	Distortion	142
0702	Fostertown Rd	Mill Village	5.05	Cracking	Distortion	636
0425	West St	Liverpool	5.05	Distortion	Cracking	461
0670	Co-op Store Rd	Caledonia	5.00	Distortion	Cracking	141
0427	School St B	Milton	5.00	Distortion	Potholes	1306
0686	M Smith Rd	Liverpool	4.95	Distortion	Cracking	224
0685	Zwicker Dr	Liverpool	4.95	Cracking	Distortion	205
0464	Roxbury Rd	Mill Village	4.95	Cracking	Distortion	281
0443	Godfrey St	Brooklyn	4.95	Cracking	Distortion	236
0634	Hillcrest Ave	Brooklyn	4.95	Distortion	Cracking	159
0632	Oak St	Brooklyn	4.95	Cracking	Distortion	74
0704	Nickerson Pond Br	Brooklyn	4.95	Cracking	Distortion	157
0631	Locust St A	Brooklyn	4.95	Cracking	Distortion	118
0649	Howard Ave	Liverpool	4.95	Cracking	Distortion	66
427	School St D	Milton	4.95	Cracking	Distortion	356
0688	Medway St A	Mill Village	4.90	Cracking	Distortion	207
0676	Commercial St	Mill Village	4.90	Cracking	Potholes	349
0692	Wharf Rock Rd	Liverpool	4.85	Distortion	Potholes	690
0655	Whynot Rd	Mill Village	4.80	Cracking	Distortion	215
0473	Church Sq	Mill Village	4.80	Cracking	Distortion	575
0638	Richardson St A	Brooklyn	4.80	Distortion	Cracking	118
0662	Morley St	Milton	4.80	Distortion	Cracking	225
0438	Elm St	Brooklyn	4.75	Distortion	Potholes	761
0426	Tupper St B	Milton	4.70	Distortion	Potholes	681
0404	College St B	Liverpool	4.65	Cracking	Rutting	295
0638	Richardson St C	Brooklyn	4.60	Distortion	Cracking	353
0437	Great Hill Rd A	Brooklyn	4.55	Distortion	Cracking	680
0712	Peach Ln	Liverpool	4.35	Cracking	Distortion	303
0404	College St A	Liverpool	4.35	Cracking	Distortion	273
0677	Telfer Rd B	Caledonia	4.35	Cracking	Distortion	24
0559	Freeman St	Milton	4.35	Cracking	Distortion	280
0665	Edward St	Milton	4.35	Cracking	Distortion	162
0436	Wolfe St	Liverpool	4.35	Cracking	Distortion	188
0688	Medway St B	Mill Village	4.30	Cracking	Distortion	108
0563	Hemlock St B	Caledonia	4.30	Cracking	Potholes	254
0432	Pleasant St	Milton	4.30	Cracking	Distortion	399
0690	Crusher Rd	Milton	4.30	Cracking	Potholes	246
0445	Hillside Rd	Brooklyn	4.20	Cracking	Distortion	944
0562	Spruce St	Caledonia	4.20	Cracking	Distortion	131
0654	Birch Ave	Liverpool	4.20	Cracking	Distortion	139
0638	Richardson St B	Brooklyn	4.10	Distortion	Cracking	190
0652	Nickerson Pond Rd D	Brooklyn	4.10	Distortion	Rutting	480
0429	Milford St C	Milton	4.10	Cracking	Distortion	73
0429	Milford St E	Milton	4.10	Distortion	Cracking	1062
0652	Nickerson Pond Rd C	Brooklyn	3.90	Distortion	Ravelling	386
0431	Glenwood St	Milton	3.80	Cracking	Potholes	819
0650	Rogers Rd	Caledonia	3.75	Cracking	Ravelling	217
0428	Morton St	Milton	3.70	Distortion	Flushing	1154
0669	Pine St	Caledonia	3.55	Cracking	NA	192
0689	Town Lake Rd	Liverpool	3.40	Cracking	Flushing	660
0429	Milford St A	Milton	3.35	Cracking	NA	377
0687	Brooklyn Wharf Rd	Brooklyn	3.20	Cracking	Polishing	62
0442	Dexter Ave B	Brooklyn	3.20	Cracking	NA	107
0426	Tupper St C	Milton	2.90	Distortion	NA	588
0429	Milford St D	Milton	2.85	Cracking	NA	204
0426	Tupper St A	Milton	2.80	Distortion	NA	163
0432	Pleasant Ave	Liverpool	2.45	Cracking	NA	246
0448	Markland Ave	Brooklyn	1.10	NA	NA	184
0675	Oliver St	Milton	1.00	NA	NA	211

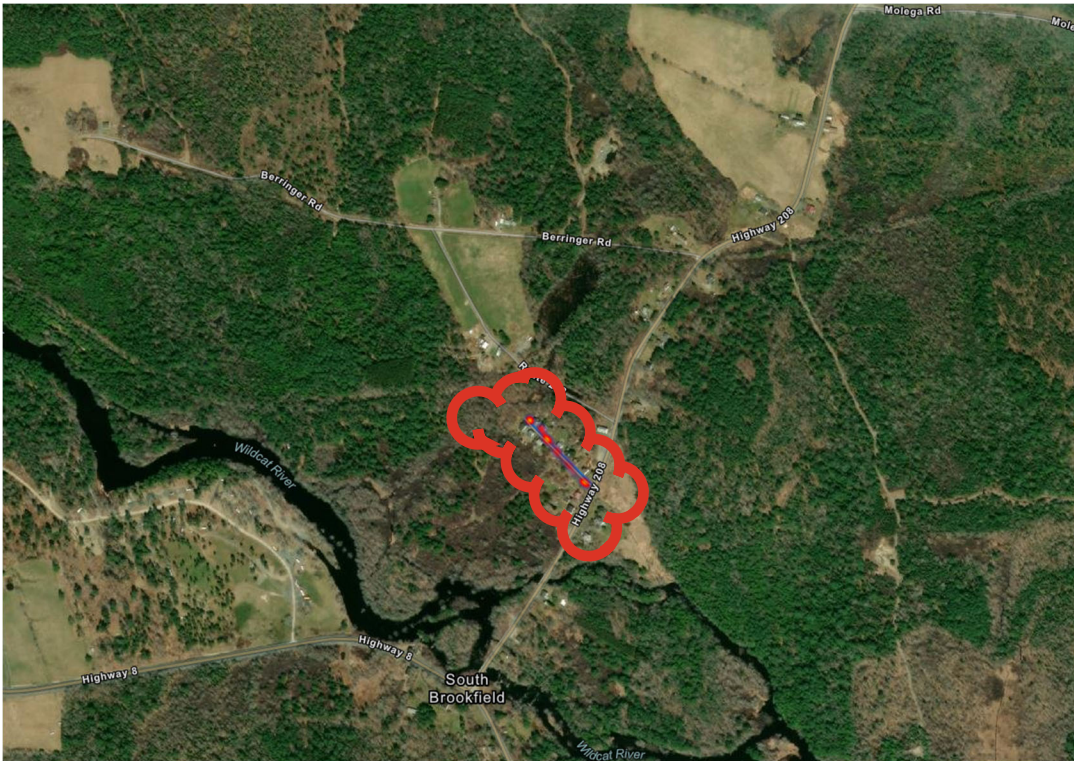
APPENDIX C: Queens County J-Class Roads Application



Forest Street, Milton



Emeneau Road, Brooklyn



French Street, South Brookfield



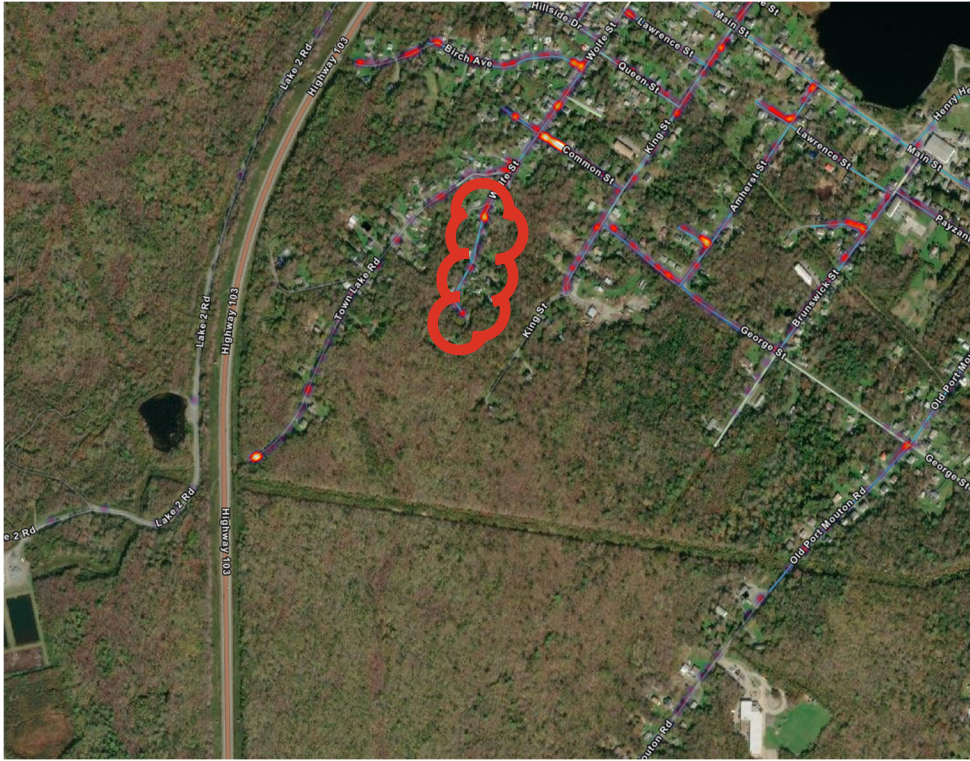
M. Smith Road, Liverpool



Roxbury Road, Mill Village



Wharf Rock Road, Liverpool



Wolfe Street, Liverpool

**Region of Queens Municipality
Staff Report**

7.2

To: Mayor and Council

From: Mike MacLeod, Director of Land Use

Date: September 24, 2024

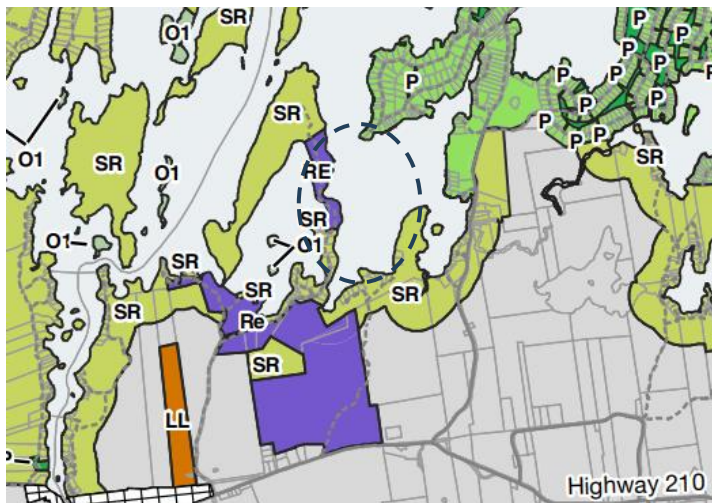
Re: Grouped Dwelling Development in Greenfield

Background

Region of Queens Municipality has received an application to enter into a development agreement that would allow for the establishment of a grouped dwelling development (bare land condominium) on a vacant parcel of land in Greenfield. Property is identified as PID# 70116660. A copy of the application is attached as Appendix A.

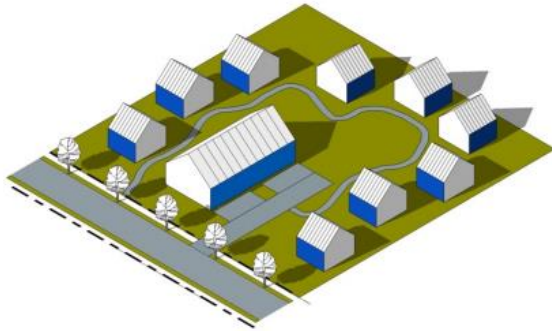
Details

The property is zoned as Resort (Re) under the Land Use Bylaw (LUB) and has a future land use designation of Rural (RUR) under the Municipal Planning Strategy (MPS).



Zoning Map

Grouped Dwellings is defined as three or more dwelling units contained in two or more dwellings located on a single lot.



Grouped Dwellings is a use that is not permitted as-of-right in the Resort (Re) Zone. Council however has incorporated provision within the MPS and LUB whereby it can consider such uses through a development agreement process.

Residential Uses in Rural Zones

	R5	R6	SL	SR	Re	CR	SPECIAL REQ's
Accessory Dwelling	P	P	P	P	P	P	S7.1
Bed and Breakfast - 5 or fewer sleeping units More than 5 sleeping units	P DA	P DA	- -	DA -	P P	P P	
Boarding House - 5 or fewer sleeping units	P	P	-	-	-	P	
Converted Dwelling - 5 or fewer dwelling units	P	P	-	-	-	P	S7.5
Duplex Dwelling	P	P	P	P	P	P	
Grouped Dwellings - 4 or fewer dwelling units More than 4 dwelling units	S DA	S DA	- -	DA DA	DA DA	S DA	
Home-based Business - Level 1 Level 2	P P	P P	P -	P -	P -	P P	S7.9
Mobile Home	P	P	P	P	P	P	S13.11(c) & (d)
Multi-unit Dwelling - 4 or fewer dwelling units More than 4 dwelling units	S -	S -	- -	- -	DA DA	S -	
Nursing Home	P	P	-	-	DA	P	
Recreational Vehicle Parking Site	P	P	P	P	P	P	S7.13
Residential Care Facility	-	-	-	-	DA	P	
Semi-detached Dwelling	P	P	-	-	P	P	
Short-term Rental	P	P	P	P	P	P	S7.14
Single-unit Dwelling	P	P	P	P	P	P	
Small Options Home	P	P	P	P	P	P	
Triplex Dwelling	P	P	-	-	P	P	

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

Section 5.5.2 of the MPS sets out that:

Grouped dwellings are a form of residential development in which multiple residential buildings are located on one lot. The development can be owned by one landowner with residential units rented out to individual households, or the land can be owned in common through mechanisms such as condominiums or cooperative housing trusts. In rural areas, this approach to residential development allows for the creation of semi-public services (shared septic systems, shared wells, share amenities, shared "roads", etc.) while at the same time implementing an ownership structure that assigns responsibility for the long-term, sustainable upkeep of these services.

Grouped dwellings could, for example, be used to create cottage developments around lakes or "resort villages" in areas near to traditional resorts. Grouped dwellings can also allow for clustered housing development, in which the average density of the development is similar to a traditional subdivision, but houses are clustered closer together to leave much of the land undisturbed for recreation or conservation purposes. Council intends to allow this form of housing development in rural areas by development agreement.

Policy 5-51: *Council shall consider grouped dwelling developments in the Inland Rural Zone, Coastal Rural Zone, Lakeshore Residential Zone, Resort Zone, and Rural Commercial Zone by development agreement, subject to the policies of Section 6.4 and the implementation of a servicing plan to ensure shared services, such as septic and internal driveways, do not become the maintenance responsibility of the Municipality.*

When evaluating development agreements, Council must be cognizant of the overall goals and policies of this MPS. In particular, it should have regard for 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.*

Considerations

- PID# 70191937 has a lot area of approximately 36 acres.
- The area is rural in nature with scattered low density residential development.
- The property is accessed off a private road known as Laurie Wamboldt Road.
- Proposal is for a 41-unit bare land condominium development, which falls under the land use classification of grouped dwellings.
- No municipal services in vicinity of subject property. Development would require provincially regulated on-site sewage disposal system(s) and well(s) / lake water.
- The intent of the developers is that the dwellings be serviced by shared sewer system(s) and that water supply come from adjacent Ponhook Lake.

Potential Options

1. Maintain status quo (deny development agreement request); or
2. Enter into a development agreement with 4557380 Nova Scotia Limited to allow for the establishment of a grouped dwelling development, consisting of

forty-one units, on property identified as PID#70116660 and located off Laurie Wamboldt Road in Greenfield.

On September 9, 2024, the Planning Advisory Committee (PAC) met to review and discuss the application. Following the discussion on the implications of the proposed use, PAC recommended in favor of entering into a development agreement to allow for the establishment of a grouped dwelling development, consisting of forty-one units, on property identified as PID#70116660 and located off Laurie Wamboldt Road in Greenfield.

Tentative Timeframe

<u>Date</u>	<u>Procedure</u>
September 9, 2024	Planning Advisory Committee
September 24, 2024	Council
October 23, 2024	First Public Notice
October 30, 2024	Second Public Notice
November 26, 2024	Public Hearing
November 26, 2024	Council
December 4, 2024	Notice of Passing
December 19, 2024	Appeal Period Ends

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

Applicable Legislation

Municipal Government Act.

Recommendation

(1) THAT the Council of the Region of Queens Municipality receive the report titled 'Grouped Dwelling Development in Greenfield' for information.

(2) THAT the Council of the Region of Queens Municipality give notice of its intention to enter into a development agreement with 4557380 Nova Scotia Limited to allow for the establishment of a grouped dwelling development, consisting of forty-one units, on property identified as PID#70116660 and located off Laurie Wamboldt Road in Greenfield.

AND THAT a Public Hearing be held on November 26, 2024 in the Council Chambers of the Municipal Building, 249 White Point Road in Liverpool, NS, at 6:00 p.m.

Appendix A



Region of Queens Municipality

REGION OF QUEENS MUNICIPALITY LAND USE BYLAW AMENDMENT & DEVELOPMENT AGREEMENT APPLICATION

For Internal Use Only

Acceptance Date: July 12/24
Processing Date: _____



1. Application Type:

- Land Use Bylaw Amendment
 Development Agreement

2. Property Information:

Civic address of subject property - 342 Laurie Wamboldt Rd, Greenfield, NS

Property Identification Number (PID) - 70116660

Present use of subject property - Campground

Proposed Use of subject property - 41 grouped dwellings

Existing Lot Size - 36 Acres

Existing Lot Frontage - N/A

3. Property Owner Information:

Name - 4557380 Nova Scotia Ltd

Applicant is :

- Owner
 Agent of Owner

Civic Address - 342 Laurie Wamboldt Rd, Greenfield, NS

Mailing Address (If different from Civic Address) - _____

Telephone Number - _____

Email Address - _____

4. Zoning Information:

Existing Zoning - Resort

Proposed Zoning - Resort (No change)

5. Property Servicing Information:

Water Services –

- Municipal System - Existing Proposed
- Drilled Well - Existing Proposed
- Dug Well - Existing Proposed
- Other - lake water treatment proposed.

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 Theodore Wamboldt & Dawn Turner-Wamboldt 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 Theodore Wamboldt
Signature Theodore Wamboldt
Date July 11/2024

Registered Owner (if more than one) Dawn Turner-Wamboldt
Signature Dawn Turner-Wamboldt
Date July 11, 2024

- Authorization of Registered Owner (Please print)

I / We Theodore & Dawn Wamboldt authorize Lawrence (Laurie) Wamboldt to act as agent and sign this application on my / our behalf for property located at (Civic Address) 342 Laurie Wamboldt Rd and identified as PID# 70116660

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.

July 12, 2024

Mike MacLeod
Director of Planning & Development
Region of Queens Municipality
249 White Point Road
Liverpool, NS B0T 1K0

Dear Mr. MacLeod

Please accept this application for 41 grouped dwelling units on a parcel of land located at 342 Laurie Wamboldt Rd, Greenfield, Queens County, also identified by PID 70116660 (hereafter referred to as "the proposed condo land"). This is a 36 acre lake-front property, with private road access.

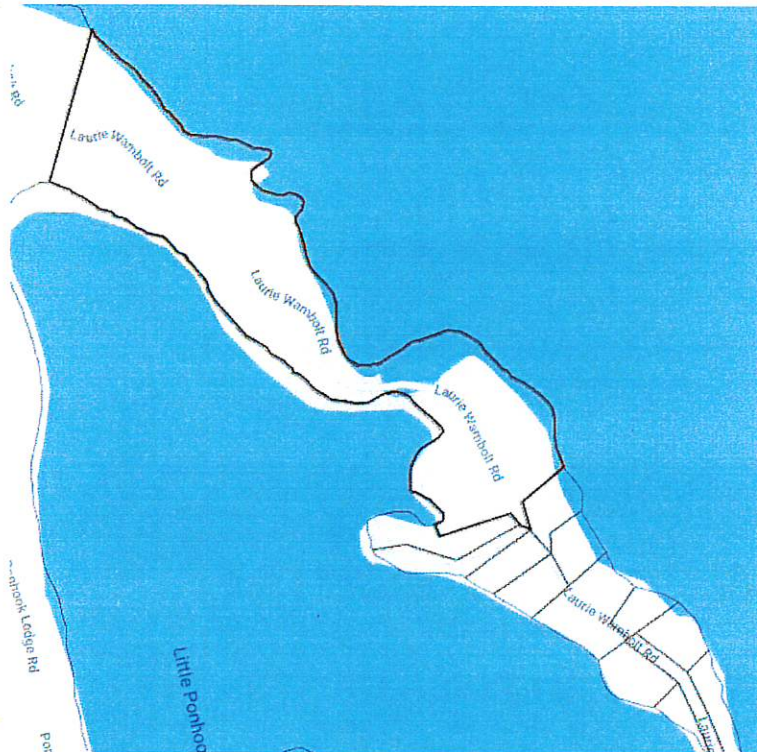


Figure 1: The proposed condo land outlined in bold. (Image from viewpoint.ca)

Background

My family owns and operates Ponhook Lodge Campground. We have a passion for creating tight-knit communities close to nature and recreational areas. We are extremely proud of the success of our campground but there is one glaring downside: RVs cannot provide high-quality, energy-efficient, year-round living accommodations for our customers. We would like to build on our previous successes, and now turn our focus to developing year-round residences on the

proposed condo land. The residential development will provide solid, energy efficient homes to families who enjoy community in a natural setting.

Proposal

We plan to develop and then sell lots and houses, using the bare-land condominium ownership model. This form of ownership offers several benefits as compared to subdivided lots:

Shared spaces - The condominium will be able to have common areas which encourage the community feel (e.g. parks with benches and play structures).

Shared services - The dwellings will share septic systems (a subdivision would require each lot to have its own septic system) and water services (fewer wells and/or cut-outs to the lake as compared to a subdivision). The roads will be privately maintained, and maintenance will be a shared responsibility of the condo unit owners.

Shared boat launch - Our proposal has a shared boat launch to minimize erosion and damage to the lake shore that would be caused by each lot having its own.

For more information regarding bare-land condominium use on the proposed condo land, see the letter from UPLAND Urban Planning + Design Studio, at Appendix A.

Appendix B shows an outline of the property, as well as calculated areas, that were determined via a 1998 survey plan.

The total area of the property, excluding the road shown, is 1,342,207 sq. ft. Current subdivision requirements for lake-front lots specify a minimum size of 40,000 sq. ft. to be able to obtain septic system approval. Since we intend to use shared septic systems, the lot sizes could be smaller.

The proposed structures are houses suitable for year-round living. We intend to erect structures that are modern, high quality and energy efficient. According to the current land-use bylaw, a single subdivided lot could have one primary dwelling and one accessory dwelling which are each 861 sq. ft. (2 dwellings per lot), or (as an example) one primary dwelling which is 2000 sq. ft., and one accessory dwelling which is 1000 sq. ft. (1.5 dwellings per lot).

If we use the lesser amount of 1.5 dwelling for every 40,000 sq. ft., 50 dwellings would be permitted on the proposed condo land.

$$(1,342,207 \text{ sq. ft.}) \div (40,000 \text{ sq. ft.}) \times 1.5 \text{ dwellings} = 50 \text{ dwellings}$$

However, in our proposal, we are choosing only **41 grouped dwellings**, as shown on the plan (Appendix C). This means that, excluding the main road through the property, there would be, on average, 32,737 sq. ft. of property (including shared spaces) for each proposed dwelling.

Photos taken of the property, along Laurie Wamboldt Rd, are attached at Appendix D.

Development process

1. Obtain approval for 41 grouped dwellings.

2. North Phase (17 units) - North end of the parcel, east of Laurie Wamboldt Rd toward Ponhook Lake.
3. West Phase (11 units) - North end of the parcel, west of Laurie Wamboldt Rd toward Little Ponhook Lake.
4. South Phase (4 units) - South end of the parcel, west of Laurie Wamboldt Rd toward Little Ponhook Lake.
5. East Phase (9 units) - South end of the parcel, east of Laurie Wamboldt Rd toward Ponhook Lake.

Road Access

Before his death in 1968, my grandfather, Lawrence (Laurie) Wamboldt, constructed a road which connected Ponhook Lodge Campground, and the proposed condo land. Later this road was named Laurie Wamboldt Rd. Over the years, this road has been improved (widened and straightened). The proposed condo land is accessed via Laurie Wamboldt Rd, which is a private road that now begins at the public Ponhook Lodge Road, and continues up to, and through, the proposed condo land. Most of the right-of-way benefiting the proposed condo land is 66 feet wide, except for a small portion that is 30 feet wide (as it was created before the Region of Queens had subdivision regulations requiring a right-of-way 66 feet wide - see sub-paragraph 1 below). Furthermore, all of Laurie Wamboldt Rd is contained on land owned by my family, except for the following portions:

1. A small portion that crosses 286 Laurie Wamboldt Rd (PID 70265632) and 290 Laurie Wamboldt Rd (PID 70116611). These lots were part of a large building lot that my grandmother, Laura Wamboldt, sold to a third party in 1977. The Laurie Wamboldt Rd (before it was named) existed on this property before the lot was sold. Laura reserved a 30 feet wide right-of-way for access to the proposed condo land. A 30 feet wide right-of-way was standard for lots that she sold before subdivision rules, requiring a 66 feet wide right-of-way, came into force in the Region of Queens. In 2023, a Nova Scotia supreme court judge found that the reserved right-of-way over this property would be suitable for use as access to residential properties: *"I find that the parties understood not only that Laura might give cottage lots to members of her family, but also that she might sell such residential lots to members of the public. The use of the word "assigns" after "heirs" and "families lots" [in the deed] is evidence of the parties' intention to leave it open to Laura to sell residential lots to private individuals who would be entitled, as her assigns, to use the Right-of-Way to access their homes and cottages."*
2. A small portion that crosses Lot 102D Laurie Wamboldt Rd, Greenfield (PID 70270939). This is a large building lot that my aunt, Janet Wile, sold to a third party in 2016. The Laurie Wamboldt Rd existed on this property before the lot was sold. Before selling this property, Janet Wile granted a 66 feet wide right-of-way, for all purposes, for the benefit of the proposed condo land, which is described as follows: "a perpetual, free and uninterrupted right-of-way for all purposes over the existing road... and the right to construct, maintain and use utility lines and other types of connections, for electricity, telephone, cable T.V., and any other type of utility connection as may be desired. The right-of-way hereinbefore mentioned shall be Sixty-six feet (66') wide...".

Other Considerations

1. Dwelling size/location - We would like to reserve the ability, for prospective purchasers of condo units, to be able choose their house plans and locations of the dwellings. Therefore we wish to have a development agreement which allows flexibility in where the dwellings can be located on the lots (as long as it meets required setbacks), and the overall size/look of the dwellings (subject to any necessary restrictions that result from this application).
2. Electricity - Power poles are already erected along Laurie Wamboldt Road, up to, and into a large portion of, the proposed condo land.
3. Neighboring development - There is only one dwelling (and accompanying accessory building(s)) within 250 feet of the proposed condo land, and they are located at 331 Laurie Wamboldt Road (PID 70116645). The dwelling is located on a peninsula and accessed via a long driveway off the Laurie Wamboldt Road. This existing development is fairly sheltered from the proposed development. This lot was sold by Laura Wamboldt to a third party, after Laurie Wamboldt Road was created. In their deed, the purchaser acquired (from Laura Wamboldt) a right-of-way over the existing 30 feet wide road (a continuation of Laurie Wamboldt Rd), as well as an anticipated 66 feet wide road to be constructed along the purchaser's property, leading to the proposed condo land (the proposed 66 feet wide road was shown on a plan included with the land transaction).
4. Water supply - with a major lake bordering the property, water could be taken from the lake, if necessary, and treated, in order to alleviate potential impacts on local groundwater sources.

Conclusion

We wish to obtain a development agreement which allows for the following uses:

All uses currently permitted in a resort zone
All uses permitted under future zoning attached to the property
41 grouped dwellings

If you require any further information, please do not hesitate to contact me.

Sincerely,



Lawrence (Laurie) Wamboldt

Manager at Ponhook Lodge Ltd.
Director of 4557380 Nova Scotia Ltd
344 Ponhook Lodge Rd
Greenfield, NS, B0T 1E0
cell phone: 902-298-5878
email: LW@ponhook.com

July 10, 2024

RE: Planning Advice Regarding 342 Laurie Wamboldt Road (PID 70116660) in Greenfield, NS

Dear Laurie,

MR. LAURIE WAMBOLDT
Manager at Ponhook Lodge Ltd.
Director of 4557380 Nova Scotia Ltd.

344 Ponhook Lodge Rd
Greenfield, NS, B0T 1E0
lw@ponhook.com

As per your request, UPLAND | Urban Planning + Design Studio ("UPLAND") has conducted a review of bare land condominium uses on the above mentioned property north of the Ponhook Lodge Campground in Greenfield, Nova Scotia.

From a municipal regulations point-of-view, UPLAND is of the opinion that the bare land condominium model presents an opportunity for environmentally responsible and efficient growth in the rural community of Greenfield, without adding to the responsibility of the Municipality. Bare land condominiums can be considered by development agreement on the property and are supported by the Region of Queen's Municipality Municipal Planning Strategy.

Please see our attached letter for further details. We trust that the following analysis meets your needs. If you have any questions or require further clarification, please do not hesitate to contact us.

Sincerely,



Arnav Garg

Reviewed by:



Ian Watson, MCIP, LPP

1 PROPERTY FACTS

The analysis in this letter is provided for the property parcel located at 342 Laurie Wamboldt Road in Greenfield, within the Region of Queen’s Municipality. The lot is currently registered to the numbered company 4557380 Nova Scotia Ltd. of Greenfield, NS. The following summarizes key parcel data recorded in the provincial parcel database¹:

Property Address and ID	Parcel Size (acres)
342 Laurie Wamboldt Road (PID 70116660)	35.50



Map 1: Context map showing subject property.

The analyzed parcel is located in the Resort (Re) Zone of the Region of Queen’s Land Use Bylaw. Residential uses permitted as-of-right in this zone include boarding houses, bed and breakfasts, single unit dwellings, semi-detached dwellings, duplex and triplex dwellings, and mobile homes. Multi-unit and grouped dwellings can be considered in the Resort Zone by development agreement. Additionally, the zone also permits a wide range of commercial, industrial and institutional uses as-of-right.

2 BARE LAND CONDOMINIUMS

A bare land condominium is a form of “tenure” or ownership that is similar to a traditional condominium, but refers to a section of land on a shared parcel rather than a unit in a shared building. In a bare land condominium, the boundaries of each unit are defined by lines on the shared parcel of land, rather than the exterior walls of a dwelling. A buyer purchases the specific piece of land within the parcel. Typically, only the land itself is condominiumized, and maintenance

¹ Property dimensions based on survey of Brandon J. Crouse, NSLS, from May 2016.

of the house or structure on the land unit remains the responsibility of the owner. This allows for greater flexibility in the design of the homes when compared to a traditional condominium.

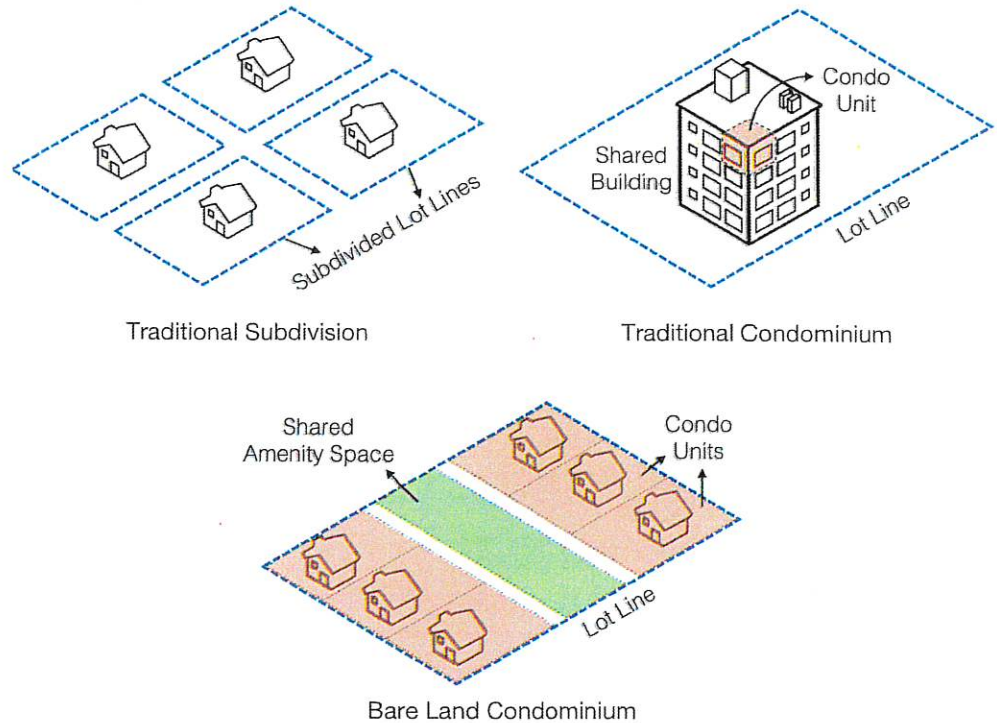


Figure 1: Illustration of differences between a traditional subdivision, traditional condominium, and bare land condominium.

In Nova Scotia, bare land condominiums are regulated under the *Condominium Act*, just as a traditional condominium. Bare land condominiums operate similarly to traditional condominiums, with condominium fees, and a condominium corporation that assumes responsibility for shared elements and amenities. These shared amenities could include maintenance of shared driveways (such as snow clearing), a shared community septic system, and shared recreation facilities. Local examples of bare land condominiums include Deep Cove Road in Deep Cove (Municipality of Chester), Cottage Country on Falls Lake (West Hants Regional Municipality), and Seven Lakes in Porters Lake (Halifax Regional Municipality)

Key benefits of bare land condominiums include:

- + A board and legal mechanism that helps ensure maintenance over the long-term, unlike traditional subdivisions.
- + Enabling the creation of semi-public services in rural areas, such as shared septic systems, amenities and driveways, without adding to the maintenance responsibility of the Municipality.
- + Contributing to the creation of complete communities in rural areas, by providing semi-public recreational amenities on-site.

- + Environmental benefits of shared services such as septic systems that result in preservation of open space and wildlife habitat, protecting the rural quality of the area and natural heritage.
 - A single, shared septic tank and discharge field limits the amount of upheaval required at the time of installation.
 - Maintenance of the tank is similarly less disruptive when only one location needs to be accessed.
 - Shared systems are easier to upgrade in minimally invasive ways.
 - Smaller lot sizes are possible when a well or septic system is not needed on every lot.

3 MUNICIPAL PLANNING STRATEGY REVIEW

The Region of Queen's Municipality Land Use Bylaw defines grouped dwellings as three or more dwelling units contained in two or more dwellings located on a single lot. The bare land condominium model meets this definition of the grouped dwellings.

The Region of Queen's Municipality Municipal Planning Strategy (MPS) supports the development of bare land condominiums. Section 4.6.3 of the MPS supports the need to enable higher densities in smaller communities to meet various demands, specifically mentioning a demand for bare land condominiums where multiple detached dwellings are located on one parcel.

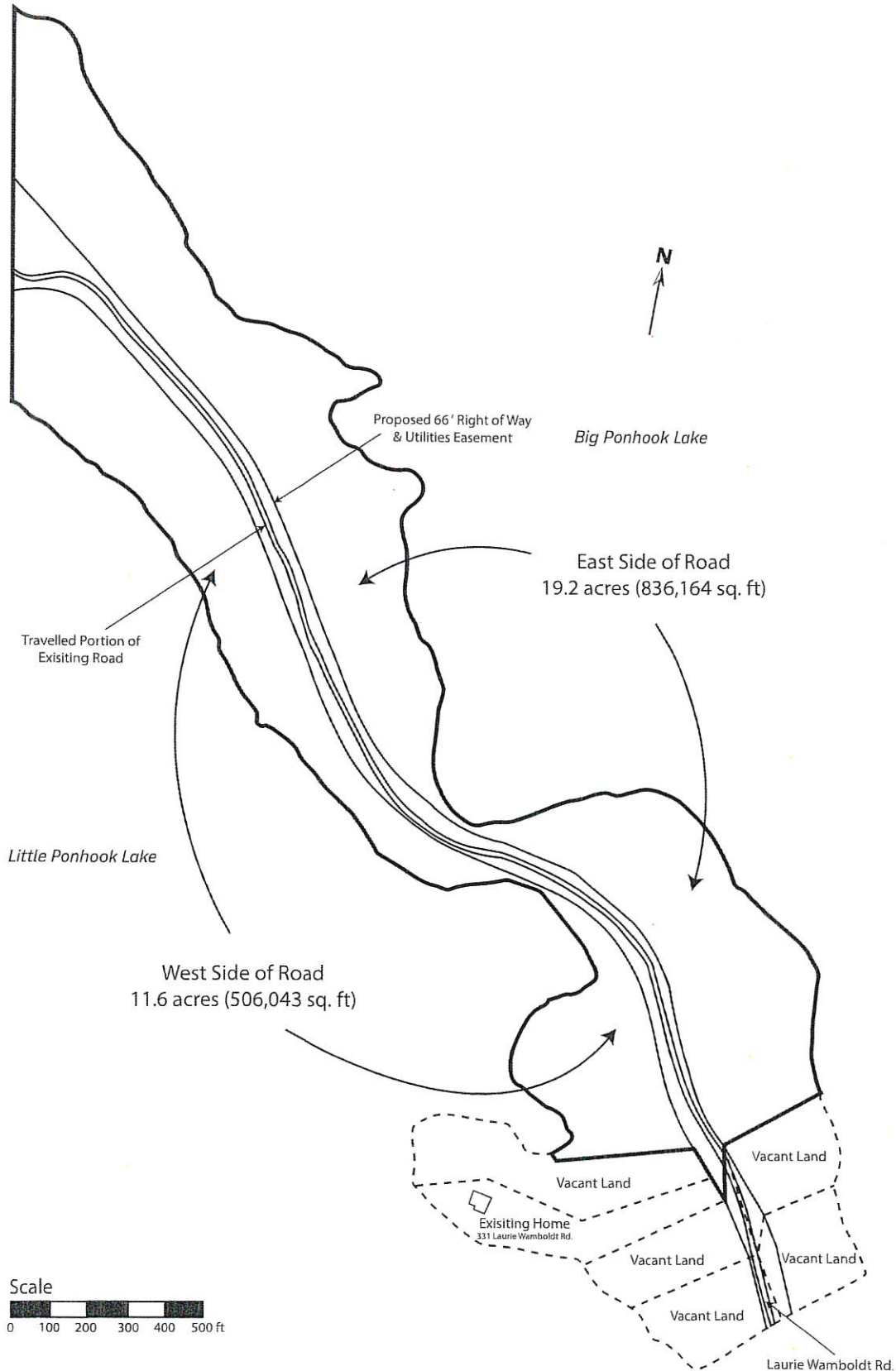
Additionally, Section 5.5.2 of the MPS which provides policy direction for the development of grouped dwellings also acknowledges the bare land condominium mechanism in which land is owned in common as a way to create grouped dwellings. The environmental benefits of shared services in grouped dwellings are also mentioned, including the preservation of land for recreation and conservation uses.



Appendix B - Ponhook Rim Grouped Dwelling Proposal

Conceptual Plan Only

Overview



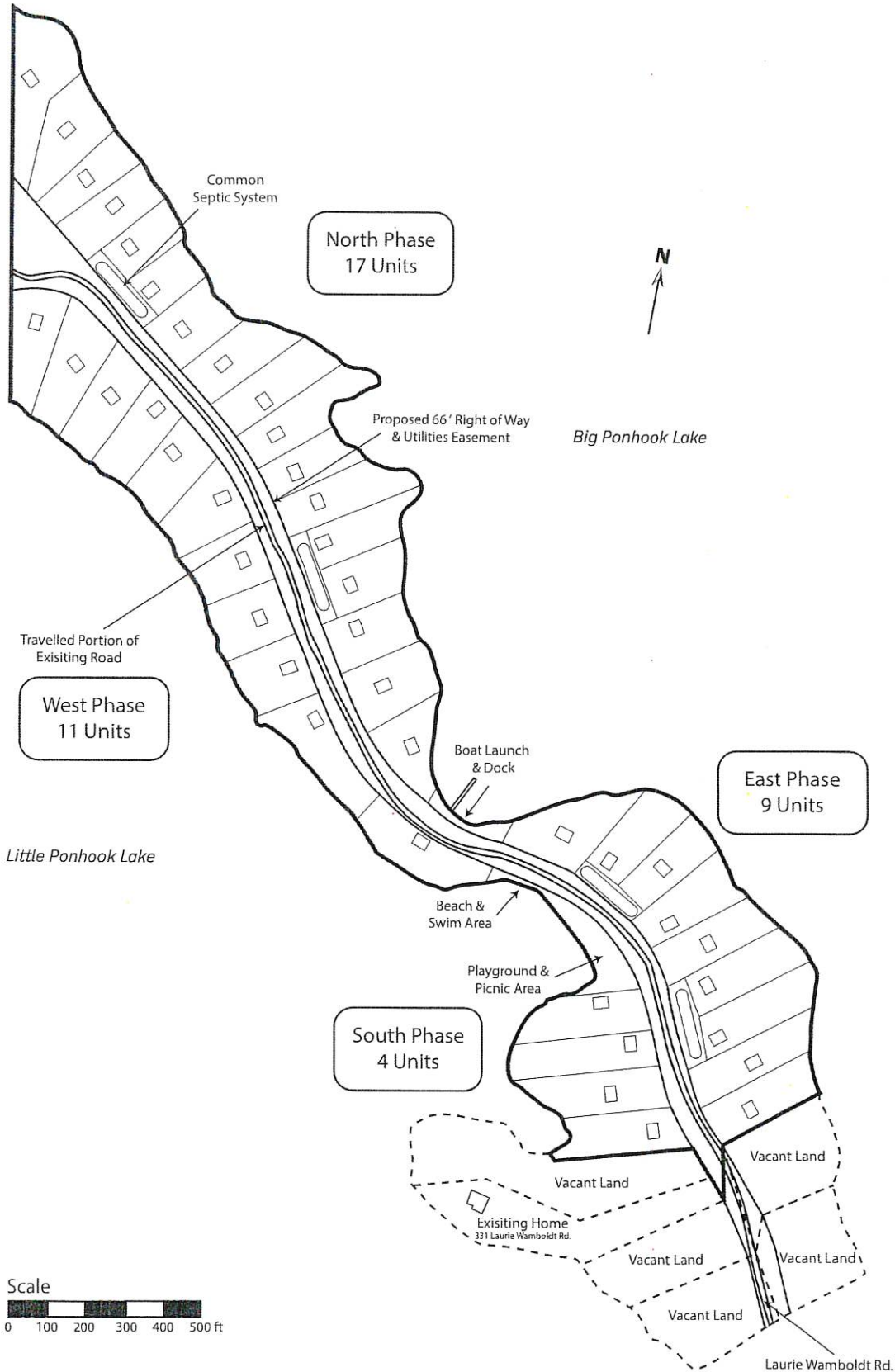


PONHOOK LODGE
CAMPGROUND

Appendix C - Ponhook Rim Grouped Dwelling Proposal

Conceptual Plan Only

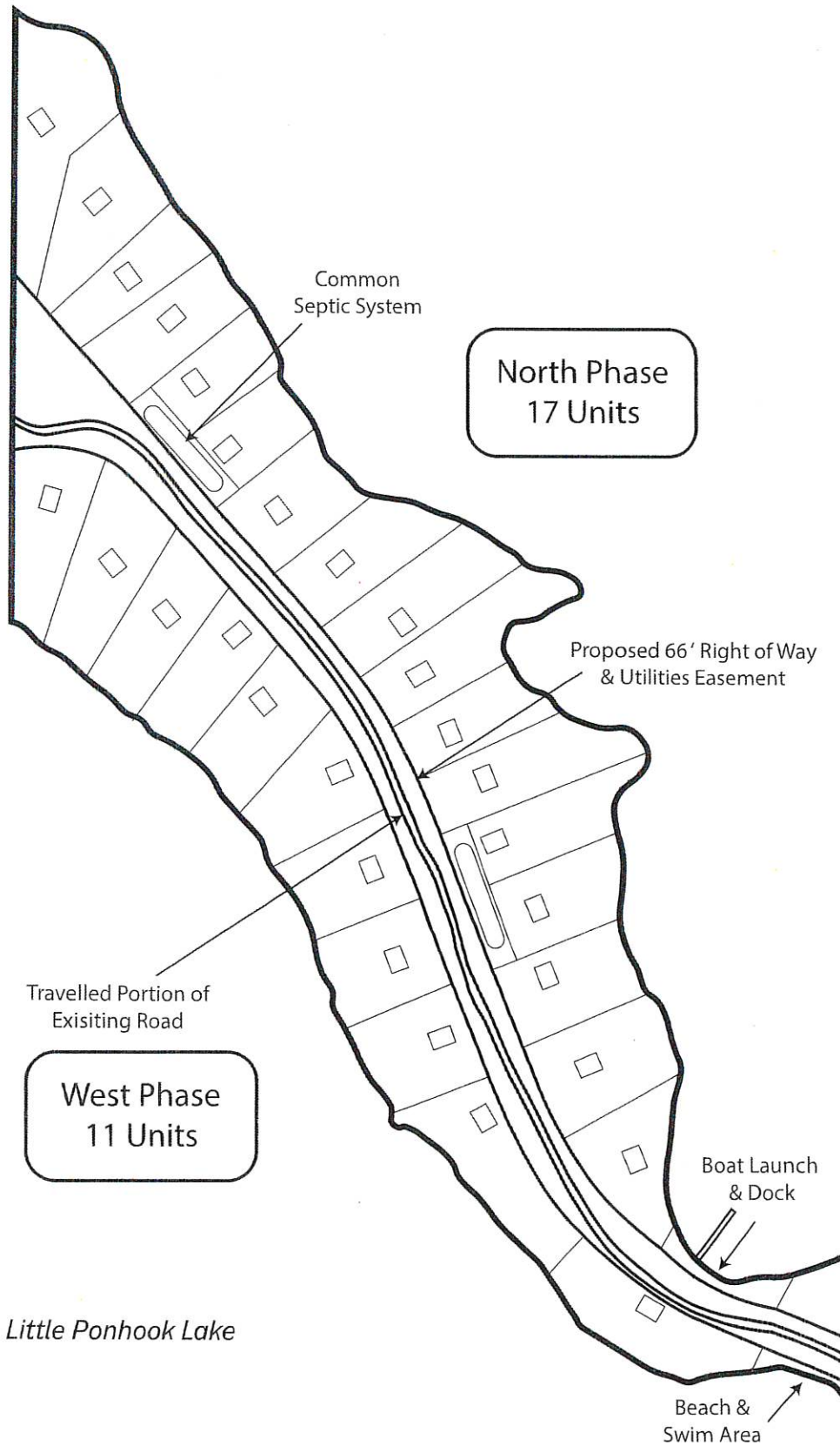
Overview - Detailed





Appendix C - Ponhook Rim Grouped Dwelling Proposal

Conceptual Plan Only
North & West Phases - Detailed

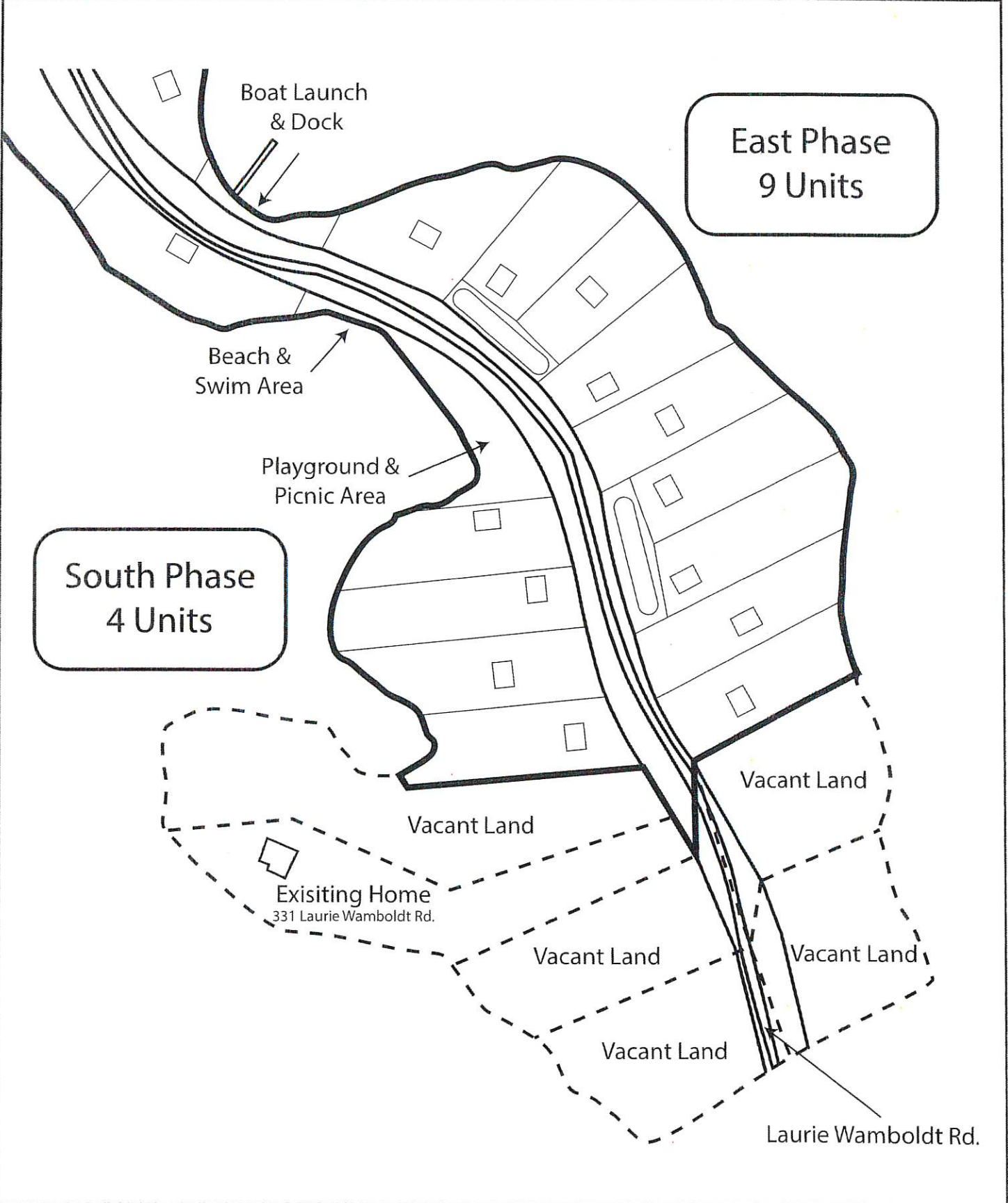




Appendix C - Ponhook Rim Grouped Dwelling Proposal

Conceptual Plan Only

South and East Phases - Detailed



East Phase
9 Units

South Phase
4 Units

Boat Launch
& Dock

Beach &
Swim Area

Playground &
Picnic Area

Vacant Land

Vacant Land

Existing Home
331 Laurie Wamboldt Rd.

Vacant Land

Vacant Land

Vacant Land

Laurie Wamboldt Rd.

Appendix D

The following are 10 photos taken of the proposed condo land, from Laurie Wamboldt Rd, looking in a northerly direction.













4. **THAT** the Developers acknowledge the presence of species on or near the subject property, which are regulated under the Nova Scotia Endangered Species Act and that they have been made aware of the associated legal protections, core habitat and best practices; ??

(To be reviewed by DNRR prior to approval)

5. **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.

6. **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.

7. **THAT** notwithstanding the provisions of the Region of Queens Municipality Municipal Planning Strategy and Land Use Bylaw, the Developer 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;

8. **THAT** amendments which shall be considered substantial are any affecting the following:

(a) A change in the uses permitted;

(b) An increase in the number of dwelling units.

9. **THAT** any amendment whether substantial or otherwise must be approved by both parties in writing;

10. **THAT** the Developers agree to pay for all legal costs, advertising and expenses incurred by the Region that have originated from its application for this Development Agreement;

11. **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;

12. **THAT** this Agreement is not assignable without the written consent of the Region;

13. **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.

14. **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 _____, 2024.

- (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.

DRAFT

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

Witness) **4557380 NOVA SCOTIA LIMITED**
) Per: _____
)
) Per: _____
)

Witness) **REGION OF QUEENS MUNICIPALITY**
) Per: _____
) Mayor
) Per: _____
) Chief Administrative Officer

PROVINCE OF NOVA SCOTIA
COUNTY OF QUEENS

ON this ____ day of _____, 2024, 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 _____ and _____ 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 _____, 2024, 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 Cody Joudry, signed, sealed and delivered the same in his/her presence.

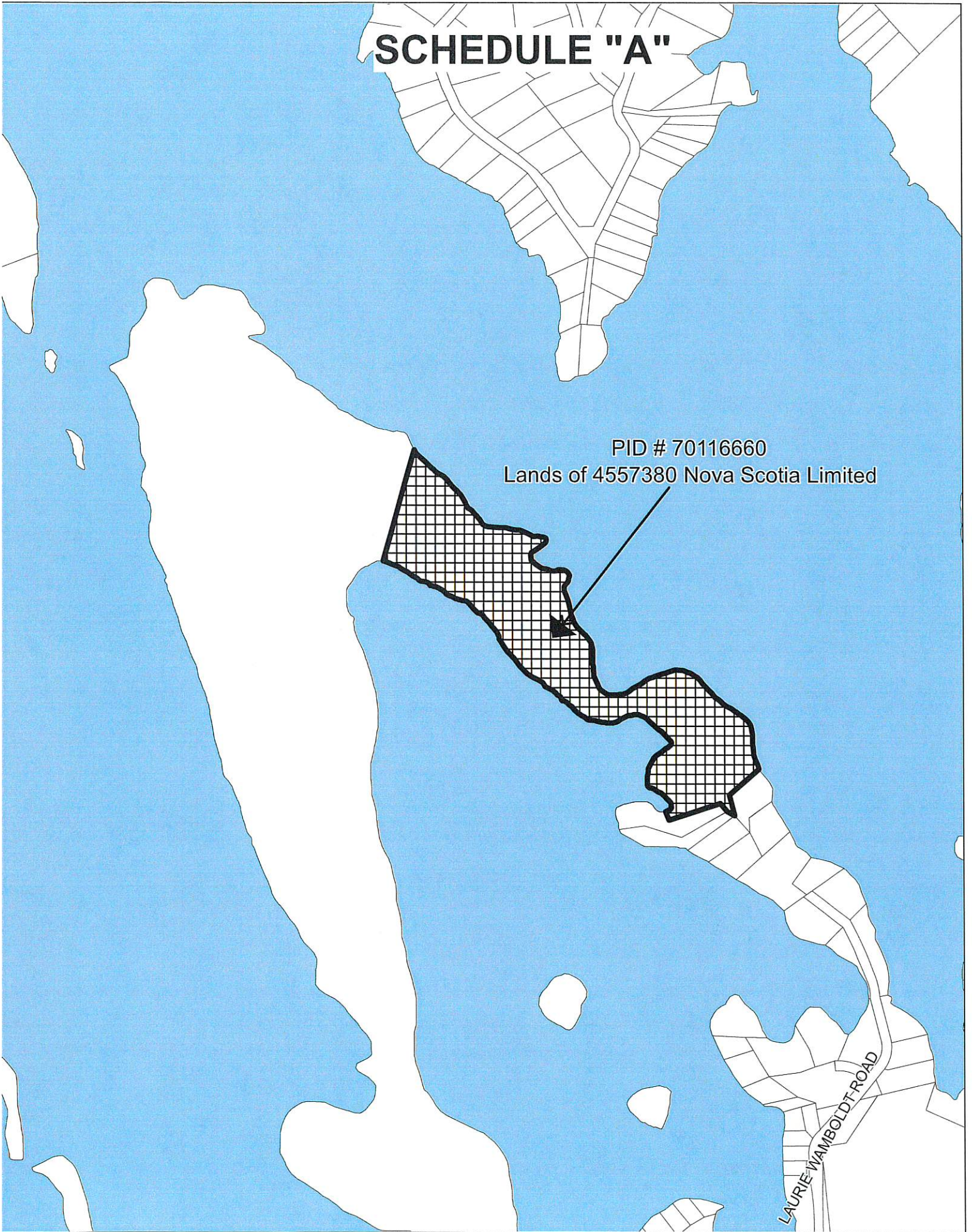
A Commissioner of the Supreme Court of Nova Scotia

DRAFT

SCHEDULE "A"

PID # 70116660
Lands of 4557380 Nova Scotia Limited

Laurie Wamboldt Road



Region of Queens Municipality Staff Report

7.3

To: Mayor and Council

From: Richard Lane, Director of Community Development

Date: September 24, 2024

Re: CIF 2024-25 – Liverpool International Theatre Festival

Background

Applications to the 2024-25 Community Investment Fund (CIF) have exhausted the \$175,000 budget allocated in this fiscal year but the fund remains open for application at this time. There is approximately \$180,000 unallocated in the CIF reserve.

Detail

A funding application has been submitted under the Events / Tournament Investment Fund, in which organizations can apply in one of four categories according to the estimated eligible cost:

- a. Up to ten percent (10%) funding of eligible expenses for provincial, national, or international events where the budget exceeds \$300,000;
- b. Up to ten percent (10%) funding of eligible expenses for events where the budget is between \$150,000 and \$299,999;
- c. Up to twelve and one-half percent (12.5%) funding of eligible expenses for events where the budget is between \$20,000 and \$149,999;
- d. Up to twenty percent (20%) funding of eligible expenses for events where the budget is up to \$19,999;



Liverpool International Theatre Festival – request \$6000

The Liverpool International Theatre Festival (LITF) is an established major festival for Queens County with an impressive international reputation. Considered one of the top ten amateur theatre festivals in the world, it is held in October in alternate years.

The previous edition was held in 2022 and was a post-pandemic transition year for LITF, the group is expecting a full return of audiences and performing troupes this edition. Twelve troupes from eleven countries have been accepted to this year's festival after a competitive application process. The four-day festival will be held October 17-20, 2024.

The estimated eligible expenses for the festival are \$46,400, and therefore the funding request is calculated at 12.5%, equal to \$5,800. Please note that this is slightly less than the requested \$6,000.

Budget Impacts

As the operational fund for CIF applications is exhausted, funding for this application, if approved, will come from the CIF reserve, which currently holds approximately \$180,000.

Recommendation

- (1) **THAT** the Council of the Region of Queens Municipality receive the report titled 'CIF 2024-25 – Liverpool International Theatre Festival' for information.
- (2) **THAT** the Council of the Region of Queens Municipality approve the Liverpool International Theatre Festival's Community Investment Fund grant request for up to \$5,800.00 of eligible event expenses, funded from the Community Investment Fund reserve.