

## Region of Queens Municipality Staff Report

**To:** Mayor and Council

**From:** Mike MacLeod, Director of Land Use

**Date:** February 11, 2025

**Re:** Site Plan Appeal – 48 Bristol Avenue, Liverpool

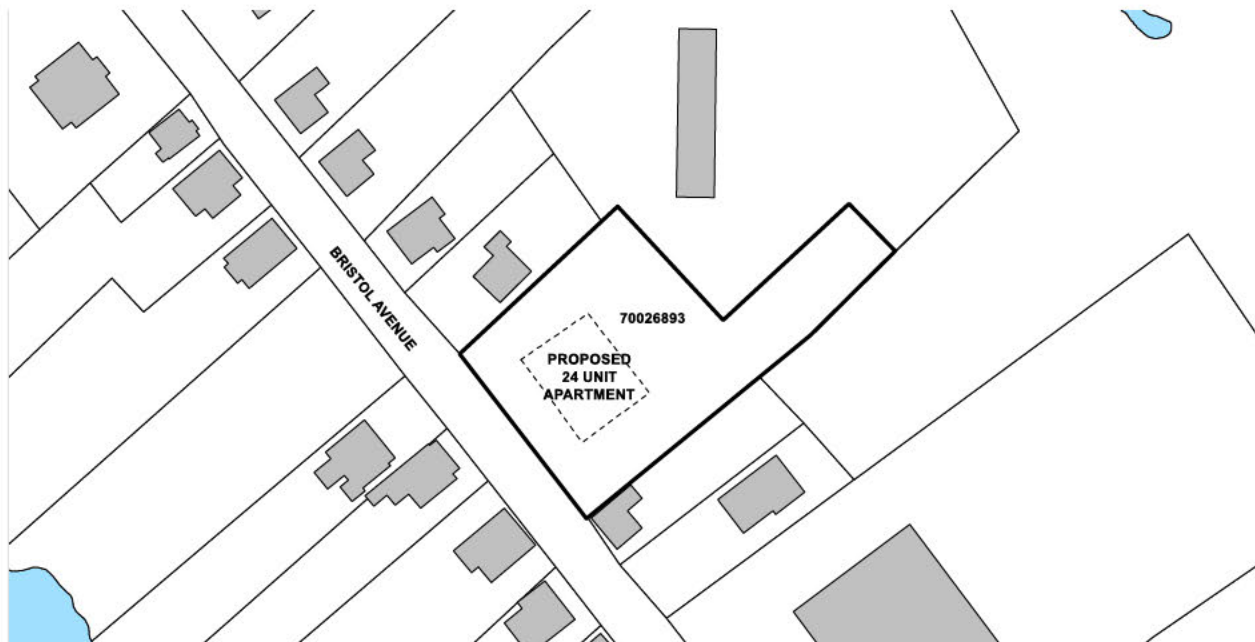
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### Background

The Region of Queens Municipality has received an appeal respecting the approval of a site plan for construction of a multiple unit dwelling on a property on Bristol Avenue in Liverpool.

### Details

The Land Use Department has received an application to construct a 24-unit apartment building on property located at 48 Bristol Avenue in Liverpool and identified as PID # 70026893.





The property is zoned as *Multiple-unit Residential (RM)* under the Municipality's Land Use Bylaw, which allows for this use through a site plan approval process. This is a development approval process in which applicants must meet an additional set of criteria as set out in the Land Use Bylaw. Unlike standard development permitting, these criteria are not necessarily numerical in nature, and can involve a negotiation between the applicant and the Development Officer to determine compliance with these criteria. This tool is useful for approvals that might require an additional level of oversight or flexibility to reduce impacts on the neighbourhood. The site plan criteria for this use is attached as Appendix A.

Municipal staff reviewed the application and were satisfied that the proposal met the requirements of the Land Use Bylaw and the site plan was approved. A copy of the site plan is attached as Appendix B.

The Municipal Government Act (MGA) establishes the process for site plan approval (Section 232), part of which is notification of surrounding property owners and setting out the right to appeal the approval to Council. Notification was sent out to all property owners within 30 meters of PID 70026893. Within the 14-day appeal period, the municipality received one formal appeal of the proposed development. A copy of the appeal is attached as Appendix C.

At the July 9, 2024 Council meeting, a petition was presented by Councillor Jack Fancy, on behalf of his constituents, respecting the proposed development. As well, several members of the public commented on the proposed development during Public Question / Comment Session. A copy of the petition and an excerpt of the July 9<sup>th</sup> Council Minutes is attached as Appendix D.

As set out in the MGA, upon hearing an appeal, Council can make any decision that the Development Officer could have made respecting the site plan application.



## Recommendation

**THAT Council of Region of Queens Municipality deny the appeal and uphold the decision of the Development Officer to issue site plan approval for development of a 24-unit apartment on property identified as PID# 70026893.**

Alternative motion (not recommended by staff):

THAT Council of Region of Queens Municipality accept the appeal and overturn the decision of the Development Officer and deny the site plan approval for development of a 24-unit apartment on property identified as PID# 70026893.

## Appendix A

### 17.4 Grouped Dwellings, Multi-unit Dwellings, Nursing Homes, and Residential Care Facilities

- 17.4.1 Where a zone permits grouped dwellings, multi-unit dwellings, nursing homes, or residential care facilities by site plan approval, the Development Officer shall approve a site plan agreement where the requirements of this Land Use Bylaw and the following matters have been addressed:
- (a) Design
    - (i) Blank walls shall not be permitted at grade along any street frontage.
    - (ii) Except for those located below a height of 1.8 metres, decks shall not be permitted within 10 metres of any lot line adjacent to a single-unit dwelling, duplex dwelling, or semi-detached dwelling existing at the time of site plan approval application.
  - (b) Servicing and Utilities
    - (i) All utility equipment shall be enclosed within a building or screened from the street. Utility equipment includes, but is not limited to, utility boxes, meters, and air compressors.
    - (ii) Enclosed facilities for solid waste shall be provided for the use of residents. These facilities shall accommodate the number of waste stream collection types (e.g. garbage, compost, recycling) provided in the municipality at the time of permitting. These may be provided as a central collection point or, where appropriate, individual facilities for each dwelling unit. Adequate access shall be provided to the solid waste collection facilities.
  - (c) Landscaping
    - (i) Areas not used for structures, solid waste handling, automobile parking and circulation, or pedestrian walkways shall be landscaped. Such landscaping shall consist of a combination of sod, decorative native grasses, trees, shrubs, flowers, mulch, fountains, ponds, and/or decorative pavers.
  - (d) Pedestrian and Active Transportation Connections
    - (i) The primary entrance(s) of all dwelling units shall be connected to the nearest street right-of-way and to any adjacent active transportation route identified in a municipal active transportation plan by means of a barrier-free (accessible) pedestrian walkway at least 1.5 metres in width and paved with asphalt, concrete, bricks, or interlocking pavers.
  - (e) Lighting
    - (i) All exterior lighting shall be of a full cutoff type and shall not emit light above the horizontal.



## Appendix B

7/5/24



### Application for Site Plan Approval

Applicant - Owner: Larry Cochrane  
Mailing Address: 1 Liverpool NS B0T1K0  
Telephone: Home: \_\_\_\_\_ Office: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Location of Proposed Development: 48 Bristol Ave Liverpool NS  
PID Number: 7002 6893  
Zoning: mixed  
Type of Development Proposed: 24 unit apartment building

Site Plan Attached: ☒

Fee Attached: ☒

**\*Please Note that any application submitted without a site plan or application fee will be considered incomplete.**

I hereby make application to Region of Queens Municipality for site plan approval and certify that the information contained in this application are true and made in good faith and that I agree to carry out all of the terms of the approved site plan, as required under Section 232 of the Municipal Government Act. I hereby acknowledge that I am the owner of the above property or am otherwise acting as the owner's agent, authorized thereupon in writing.

Signature of Applicant: \_\_\_\_\_

May 30/2024  
Date

APPROVED BY - DEVELOPMENT OFFICER

June 18/24  
DATE

#### CONDITIONS:

- ① Areas of property not utilized for development shall be landscaped as per section 17.4.1 (c) of Land Use Bylaw.
- ② Exterior lighting shall not emit light above the horizon.







## Appendix C

[REDACTED] Liverpool  
July 1/2024

Received  
July 2, 2024  
(M)

Region Of Queens Municipality  
Liverpool, NS  
C/O Mike MacLeod, Developmnt Office

Further to your proposal of the development of 48 Bristol Ave., Liverpool.....please be advised, that as a property owner directly opposite ie) # 49 Bristol Ave., that I am opposed to this for the following reasons.....

- 1)..Traffic on Bristol Ave. has increased already to almost capacity. That is getting in & out of driveways , day & night, is often extremely dangerous. Further traffic from potentially 24..50 more vehicles is only going to exacerbate this problem.
- 2)the proposed building set back is too close to the street & restricts the possibility of future side walk installation. It also threatens the existance of the removal of the beautiful chestnut trees which presently enhances beautiful Bristol Ave.
- 3) The prospect of twelve patio decks facing my house, complete with the collection of clutter etc , is horrifying to my imagination and creates not the type of image to a peaceful environment.
- 4) the proposed building appears ugly and lacks style associated with history of this town.
- 5) With the current political frenzy for low cost housing, within NS, will this facility become a cheap give away eye sore?
- 6) As a long time resident on Bristol Ave., I believe that property assessments in this area will be affected and the value & tone will be lowered in this area due to the proposed construction. And furthermore, considering the current desires to preserve the ecology in Liverpool, ie) clean waters, clear air, noise abatement, tree preservation,... should be considered. Looking back 20-30 years ago , I remember clearly the misery of living on Bristol Ave during the installation of water & sewer. It was 2 years of dust, dirt, construction, , machinery noise & great inconvenience. Do we need to go through this all again?
- 7) All the existing neighbouring properties are 2 stories tall, with the exception of Bristol Manor being 3 stories, are there any restrictions for building heights in a residential area? The proposed building will be nearly 50 ft tall and not in harmony with the surrounding neighbourhood . It will be out of Sync...PERIOD!!!!

I am adamantly opposed to this project as it stands. Hopefully these suggestions will be accepted as intended.

[REDACTED]  
John Anthony Flint  
[REDACTED]



## Appendix D

PETITION TO THE REGION OF QUEENS MUNICIPALITY

JULY 2/2024

We, the undersigned, are opposed to the construction of the new 24 unit apartment at 48 Bristol Avenue for the following reasons.....

- 1)...this is not the appropriate area for dense housing. The traffic on Bristol Ave is presently at its maximum & we, the residents, already have great difficulty, not to mention safety issues, in entering & exiting our driveways.
- 2)...Bristol Ave is a quiet community, enhanced by period historical homes. The proposed 24 unit apartment is not in keeping with the beautification of the area. Bristol Avenue, being the principle entrance to the town, would be diminished by the presence of this structure.
- 3).....the proposed site is TOO SMALL for its purpose. . you need more space for a building of this size. 24 apartments could lead to as many as 100 new residents, 24-50 or more additional vehicles, plus children, visitors, & animals etc, etc. This is too much to be absorbed in a location as small as this.
- 4)...the proposed set back from the street is insufficient.. Currently a sidewalk does not exist, so to construct a sidewalk to code would require more easement.
- 5)....the existing water & sewer services were installed by the original developer for the provision of three 4 unit retirement, 2 of them to be constructed at a later date and never happened. Now it is 28 units..... therefore there will be a lot of disruption to the street again, in order to provide a greater capacity for a building of this size.
- 6).... This is not an appropriate site for much needed housing. It needs to be given consideration as to a more larger location.

WE DO NOT WANT IT IN OUR SMALL NEIGHBOURHOOD !!!!!!!

ITS THE WRONG LOCATION!!!!!!!

Terry P. Pitt 1 July 2024  
Janet Perry " "  
Roger Wilcox }  
Valerie Wilcox }  
Bob & Phyllis Hammond }  
Carolyn Campbell 2 July 2024  
Cheryl MacDonald 2 July 2024  
Ralph Deed -

Pg. 2.

<u>Name</u>	<u>Date</u>	<u>Address</u>
Glouci Lingley	July 2 <sup>nd</sup> 2024	
Di Kanderhin Bush	July 2 <sup>nd</sup> 2024	
Rajdeep Kaur	July 2 <sup>nd</sup> 2024	
Reesaleigh Buttram	July 21 2024	
Sharon Mossman	July 2, 2024	
Shirlean Anthony	July 2, 2024	
Julie	July 2/2024	
Kathy Smith	July 2, 2024	
Greg Lafuse	July 2, 2024	



**Region of Queens Municipality Regular Council**  
**Tuesday, July 9, 2024**  
**9:00 a.m.**

**Minutes**

Present: Mayor Darlene Norman, Chair  
Deputy Mayor Jack Fancy  
Councillor David Brown  
Councillor Vicki Amirault  
Councillor Ralph Gidney  
Councillor Kevin Muise  
Councillor Maddie Charlton  
Councillor Carl Hawkes  
Mike MacLeod, Acting CAO  
Angela Green, Recording Secretary

**1.0 Call to Order**

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

**2.0 Changes / Approval of Agenda**

It was moved by Councillor Brown and seconded by Councillor Charlton that the Agenda be approved as presented.

**MOTION CARRIED unanimously.**

**3.0 Presentation**

**3.1 Nova Scotia Coalition for Healthy School Food**

Lindsay Corbin attended via Zoom, and made a presentation to Council on the work of Nova Scotia Coalition for Health School Food.

**4.0 Tabling of Petitions**

**4.1 Bristol Avenue Petition**

Deputy Mayor Fancy presented a petition on behalf of his constituents, regarding the development of a property on Bristol Avenue.

**5.0 Public Question / Comment Session**

1. Terry Doucette, Eagle Head – Mr. Doucette introduced himself to Council, and announced his candidacy for Mayor in the upcoming election.

2. Tony Flint, Liverpool – Mr. Flint made several comments regarding the development of a property on Bristol Avenue, and his disagreement with the plans.
3. Carolyn Campbell, Liverpool – Ms. Campbell made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
4. Janet Perry, Liverpool – Ms. Perry made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
5. Greg Rafuse, Liverpool – Mr. Rafuse made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
6. Bob Chinard, Liverpool – Mr. Chinard made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
7. William Lingley, Liverpool – Mr. Lingley made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
8. Mark Flint, Liverpool – Mr. Flint made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.
9. Valerie Wilcox, Liverpool – Ms. Wilcox made several comments regarding the development of a property on Bristol Avenue, and her disagreement with the plans.

## 6.0 Approval of Minutes

### 6.1 Regular Council – June 25, 2024

It was noted that in 9.0 of the draft minutes, it should state that it was moved by Councillor Charlton and Seconded by Councillor Brown that the Council exit the In-Camera session.

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

**THAT the minutes of the Regular Council meeting held June 25, 2024 be approved as amended.**

**MOTION CARRIED unanimously.**

## 7.0 Recommendations

### 7.1 Sanitary Sewer Connection for 314 Highway 8

**It was moved by Councillor Brown and seconded by Councillor Gidney:**

**THAT Council of Region of Queens Municipality approve the unbudgeted expenditure of up to \$27,500 for the connection of 314 Highway 8 to the municipal sanitary sewer system, funded**